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M A R Y
Q U E E N O F S C O T S
V I N D I C A T E D.

By JOHN WHITAKER, B. D.

AUTHOR OF THE HISTORY OF MANCHESTER;

AND

RECTOR OF RUAN-LANYHORNE, CORNWALL.

IN THREE VOLUMES.

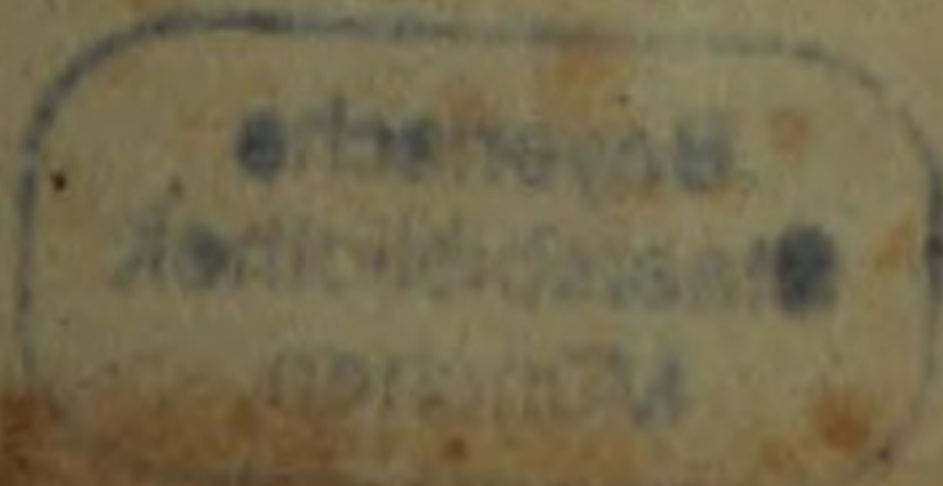
THE SECOND EDITION, ENLARGED AND CORRECTED.

V O L. III.

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MDCCXC.



THE HISTORY OF THE
QUEEN OF SCOTS

VINDICATED

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M A R Y
QUEEN OF SCOTS
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CHAPTER THE FIRST.

SECTION I.

THESE are the eight letters, which have now for two centuries been made the grand foundation of calumny against Mary. I have proved them to be forgeries, I trust, in the most satisfactory manner. The external evidence of the first volume, so strong in itself, has received a wonderful accession of strength, from the internal proofs of the second. And I mean to show here, at the beginning of the third, that FORGERY was sadly frequent, in the violent clashings of politics at this period.

The human heart, indeed, appears to have particularly rankled at this season, into sins of malignity. Papists and Protestants shared equally in the baleful spirit. But FORGERY, I blush for the honour of Protestantism while I write it, seems to have been peculiar to the Reformed. I shall recite some strong facts of this nature. They are dreadful proofs of the profligacy of the times. But I shall confine myself to the period and the actors in them, with which we are already conversant. And I look in vain for one of these accursed outrages of imposition, among the disciples of Popery.

When Murray had forced the Queen to call in the assistance of her Popish subjects, in order to free her from the power and dominion of that prince of Protestants, “she having but, as it were, the name “and calling,” and “he bearing the very sway of the “regiment * ;” when in that private kind of commission, to which her son was so frequently obliged to apply in opposition to his publick authority, she had directed the Earl of Huntly to come and ref-

* Anderson, i. Lesley's Defence, 60. The loyal nobles of Scotland say, that Murray then “causit the Quene's majestie “become swa subject unto him, as hir Grace had bene ane pupil” (Goodall, ii. 357—358). Camden also says, that “the “Queen—herself he held in his power as a tutour doth his pupil” (Transf. 90. and Orig. i. 112). And Randolph, in a letter so early as November 11th, 1561, calls him expressly “the commander of the Queen” (Keith, 202). See likewise another letter, November 18, 1562, Keith, 231; another, November 23, 1564, Keith, 265; and Buchanan, Hist. xvii. 333.

cue her; and when Murray had erected the Queen's standard against her very friends, had fought them at Corrichie on October 28, 1562, had defeated them, had killed him, and was now proceeding to the final act of vengeance against all, in a general attainder: treasonable letters were forged in the name of the Earl of Sutherland, were pretended to be found in the pocket of the slain Huntly, and were made the ground of extending the attainder to Sutherland himself*. A younger son of Huntly's

* Goodall, i. 197. This author had seen more papers than he cites. He had plainly seen the curious letter, which Mr. Tytler published since, in N^o iii. of his appendix; as is apparent from his language, in i. 409. He had thus seen some evidence, that proved the forgery of these letters. And in i. 327 we find him citing a MS. copy of Buchanan's Detection, "which is thought to be the very copy, that he presented to Queen Elizabeth;" without any intimation, where or when he inspected it. And this negligence in such a writer, obliges us to rely upon his mere declaration at times.

Concerning this temporary kind of civil war, the representations of our historians are even more than commonly opposite. The friends of Huntly affirm all that he did, to be by authority from the Queen (Keith, 229). The enemies of Huntly assert it to have resulted, from his ambitious views for himself, and his hatred of Murray (Buchanan, Hist. xvii. 338). But it is very remarkable, whatever Buchanan may say in his History, that in another work, much nearer to the time, he takes part against himself and the enemies of Huntly, and agrees with his friends. "The *Quene*," he says in 1570, "be avyis of hir oncles, *devyfit to destroy the Erll of Murray*:—*sche than being deliberat to distroy him be the Erll of Huntlie*, went to the north, and he," Murray, "in hir company" (Chamæleon, 14, vol. ii. Ruddiman). And this addition of authority turns the scale fully, in favour of Huntly.

was immediately beheaded. The eldest, he who appeared so strenuously for Mary afterwards, was condemned to the same fate. But Mary neglected to sign a warrant for his execution. Upon that account some of her ministers, and (as even bigotry must suppose) one of them at the instigation of Murray himself; either forged a warrant for her, or induced her to sign one unknown to herself*. In either view, the criminality is the same. But the warrant, no doubt, was actually forged. The letters of Sutherland before, and the letters of Mary afterwards, concur to fix the faith of scepticism itself upon the point. And Huntly would have been executed immediately; if the officer, to whom the warrant was addressed, had not suspected an imposition in it. The hand of Mary, in all probability, had been ill imitated by the forger. We know that it was so, in the letters to Bothwell. The officer, therefore, rode away in a great hurry to the Queen. He reached the palace late at night. The Queen was gone to bed. Yet he urged to be admitted into her presence. The Queen ordered him into her bed-room. There he announced to her the pretended execution of her command. She denied she had given any. He produced the warrant, in vindication of what he had *not* done. She was much affected at the sight of it. She saw the villainous hands, to which she had committed herself.

* So "a letter" was "written by the King's [her son's] secretary,—and *subscribed with the King's hand*, which he had "gotten by stealth and unawares to the King" (Camden under 1598, Transf. 562, Orig. ii. 169).

She sighed over the fate of the young nobleman, whom she supposed to have fallen a sacrifice to their forgery. But he relieved her by a confession, that the peer was still alive. And then with a particularity, which shews very significantly *her own* opinion of the forgers about her, she commanded him to execute no WRITTEN warrant whatever, upon my lord; and to take no order for either his death or his removal, except from her very LIPS *.

With such flagitious men was Mary encircled at this period, when Murray was her prime minister, and Morton and Lethington were subordinates to him! The subordinates accordingly practised the frauds of their principal, when he himself was absent. They even presumed to practise them, against Mary herself. They even had that confidence in the dexterity of their own vileness, as to practise them in a *letter*. They produced a letter as of Mary's writing to Bothwell, on the 15th of June 1567; the very evening of the day, on which she had voluntary deserted him, and gone over to them. And they shewed it to Kirkaldy of Grange, one of their chiefs, who had some remains of honour about him; as their reason for ordering her away, the

* Crawford's Lives of Officers of State, 91, on the authority of Gordon of Straloch, "who tells us he had it from his father the Laird of Pitlurg, who lived *at the time*, and was the earl's *great confident and trustee*." Guthry, in his Scotch History, vii. 296—297, has attempted to discredit this story, as founded on tradition. But the attempt is wild. If a story so authenticated is to be rejected, half the history of mankind must be rejected with it. And it is confirmed by a couple of *contemporary* writers, Jebb, i. 501, and ii. 242.

next day, to a prison. This they pretended to have been betrayed to them, as it was going to Bothwell. But they ventured not to produce, or even to specify, the person by whom it was betrayed. They did not even mention the hour, and did not even point out the place, at which it was brought to them. They had to do with a chief however, who was not sagacious enough to enquire after these circumstances. He had no idea of their diabolical reach of wickedness. He read the letter. He thought it genuine. He gave up the Queen. He honestly apprized her of it, and of his reason for so doing. And she was overwhelmed with sorrow, at the discovery of such an impudent act of iniquity against her*.

Dr. Robertson indeed, with that steady attachment to the cause of rebellion, which is continually affronting his good understanding, and continually ensnaring his natural candour; supposes the letter to be genuine. In the characteristic simplicity of the rough warrior, he believes what the leaders assert, without any enquiry into the improbable incident. With a credulity, which even Kirkaldy would have been ashamed to show, he builds history upon the writing; when even the rebels themselves (as I shall soon prove) have long rejected the writing for apocryphal, and have therefore not inserted it in their canon. Yet he is plainly *suspicious* of its authority, even while he founds his history upon it. For that reason *he does not men-*

tion it. He merely *alludes* to it. He durst not mention, because he could not authenticate. But he chose to believe. And without any intimation concerning the letter, though with a pointed reference to it, he says; that “Mary’s affection for Bothwell continued as violent as ever,” and that “she determined not to abandon a man, for whose love she had already sacrificed so much. Melvill, “167*.” So clearly does the Doctor, by his studied *manner*, convict himself of a half-known prevarication in his *matter* †!

Mr. Hume, however, acts with more honesty and more judgment. “It is pretended,” he says ‡, “that she—even wrote Bothwell a letter, which the lords intercepted; where she declared, that she would endure any extremity, nay, resign her dignity and power, rather than relinquish his affec-

* i. 434. † This remark, however severe upon the Doctor, has been evidently confirmed since I wrote it, by a new edition of his history. In this *he gives up the letter entirely*. He gives it up indeed, not as absolutely spurious, but as founded upon some mistake in Melvill. “I am satisfied,” he says in ii. 340, edit. 11th, “that Melvil—has been mistaken with regard to this particular.” He would willingly stifle, indeed, the idea of a forgery in his friends; by an imputation of error to their historian. This however is some proof of advancing ingenuousness, upon the mind of prejudice. His mind has been eight and twenty years, in rising to *this* point of altitude in the scale. Yet

Est aliquid prodire tenus, si non datur ultra.

And should he live to publish a new edition eight and twenty years hence, he will then, I doubt not, *own the whole to be a forgery*. It asks half a century, to give an oak a proper appearance of strength.

‡ v. 122.

“ tions, Melvill, p. 84.” Melvill’s account, indeed, is here overcharged by Mr. Hume. It says merely thus: “ that same night IT WAS ALLEDGED, that “ her Majesty did write a letter unto the Earl of “ Bothwell;—calling him her dear heart, whom she “ should never forget nor abandon, though she was “ necessitated to be absent from him for a time; “ saying that she had sent him away only for his “ safety, willing him to be comforted, and to be “ upon his guard.” According to Melvill, the letter promised “ never to forget nor abandon ” Bothwell; according to Mr. Hume it declared, “ that she would endure any extremity, nay, resign “ her dignity and power, rather than relinquish his “ affections.” So much is the gold of Melvill beaten out and expanded, under the mallet of Mr. Hume! But the latter very honourably refers to his authority, with all the dubiousness which that authority uses in reciting the story; while Dr. Robertson appeals to it for a *fact*, which is only mentioned as an *allegation*. And Mr. Hume even subjoins in a note, that “ the reality of this letter “ appears somewhat disputable; chiefly because “ Murray and his associates never mentioned it, in “ their accusation of her before Queen Elizabeth’s “ commissioners.” So strongly did the light of truth flash upon one of Mr. Hume’s eyes, even under the bandage which his prejudices had tied over both; that he could not but question the authenticity of the letter. Dr. Robertson, also, had plainly a glimpse of the same light. And he closed his eyes, on perceiving it.

This

This letter is apparently one of the many forgeries, that these worst of all rebels practised upon Mary. It was the *first* of the rebel letters. It was the PROTOTYPE to all the letters from Mary to Bothwell. Morton and Lethington had been completely successful, in their *first* attempt to impose a fictitious letter of Mary's to Bothwell, upon their own partisans. This, no doubt, encouraged them to make the grand attempt afterwards. Yet, what is very remarkable, the present letter was so badly fabricated, being the creation of a moment, calculated only for an unthinking warrior, and a first effort in this serious and superiour kind of forgery; that Lethington and Morton WERE ASHAMED TO PRODUCE IT AFTERWARDS. Though it ought to have stood in the very *front* of all the letters to Bothwell; and though it was peculiarly wanted there, to shade that horrible perfidy which it was created to cover; yet it never appeared any more. Before the English embassadour, before the Scotch council, before the Scotch parliament, and before the English commissioners at York and at Westminster, when so many slanders were uttered, and so many letters produced; THIS letter of slander was always kept back. And from the moment it was shown to Kirkaldy, even down to this *instant now*, it has never been seen, and never been heard of, once. This is certainly a full confession of its spuriousness. It is the fullest, that *could* be given by *such* men concerning *such* a writing. And the rebels

bels stand self-convicted, of this leading and initial forgery *.

We have even another, very nearly of the same kind and in the same circumstances. It is so nearly the same, that it has been hitherto mistaken for it. For this reason, it has never been noticed by any of our writers. Yet it is actually different. It is mentioned in one of Throgmorton's dispatches. "Of late," he says in his very important dispatch of July the 18th, "this Queen hath written a letter to the captain of the said castle," Dunbar, "which hath been surprized; and thereby matter is discovered, which maketh little to the Queen's advantage †." The former letter was addressed to Bothwell; and the latter to the captain of Dunbar castle, at a time when Bothwell had been now gone from Dunbar many days, and when in this very dispatch it is said, that "Bothwell doth *still* remain in the *north* parts." The former, too, was written and intercepted on the 15th of June; but the latter is said on the 18th of July, to have been intercepted and written "of late;" since the 9th of July, when Bothwell's departure was announced to the publick by a proclamation ‡; and only a few days before

* The rebels refuted their own tale of the letter *at the very time*, by not mentioning it in their dispatches to Cecil, and by mentioning another slander in the room of it. "She," says Cecil of the Queen on June 26th, "*flatly denied to grant justice against Bothwell, so as they have restrained her in Loth-leven*" (Cabala, 1st part, 128).

† Robertson, ii. 378.

‡ V. i. ch. iv. sect. ii.

the 18th. The captain of the castle, was the Laird of Whitelaw *. And what could Mary have to write to him? Yet she did write, say the rebels, and they intercepted what she wrote. But WHEN did they intercept it? They choose not to tell us even this circumstance, with particularity. They only say, that it was "of late." So little were they willing to be tied down to time! They will tell us however, with the greatest particularity, WHERE, and ON WHOM, and BY WHOM, they stopped the letter. They tell us all this concerning the forged eight. Yet they are too cautious, even to tell this concerning the present! With so much more apparent tokens of forgery, have they given this letter to us! But by this, it seems, "matter was discovered, "which made little to the Queen's advantage." The rebels, therefore, will certainly produce it against her. They will add one more to the many evidences against Mary, which the sottishness of her love, and the vigilance of their guards, have thrown into their hands. They will exhibit it with the rest, to the commissioners in England. And they will publish it with the rest, for the perusal of all the world. Yet they do not. They never publish it. They never exhibit it. And the whole history of its existence, is contained in the few lines before. We know only, that it was mentioned to Throgmorton. It was never shown to him. It was

* Cecil in Cabala, part 1st, 131, says he was the Lord Waughton. But this is a mistake. He was "Patrick Whytlaw of yat ilk" (Anderson, i. 148—149), commonly called "the Laird of Whitelaw," Crawford, 56. See also Spotswood, 213.

never shown to any. In this respect, it differs from the preceding letter. That appeared, and was seen. This was just spoken of; spoken of in a manner too, sufficient of itself to disclose the forgery; and then disappeared, as a forgery, for ever. The first Lord Shaftesbury, that LETHINGTON of a later age, used to say; that a political falsehood, which could keep up its credit for a day only, was an useful implement in the hands of a manager. The rebels, as well as he, acted upon this principle. The present letter is one of their political EPHEMERÆ. The preceding one is another. We shall see others, as we proceed. And the artificers of these falsehoods *now* find themselves, as they deserve to be, beat down and overwhelmed by these, their temporary artifices of lying.

In the second confession of Paris we have a train of letters, some *from* Mary, and some *to* her; but all nearly in the same circumstances, with the one or the other of the two preceding. Thus we have one, which the Queen is said to have written to Bothwell from Glasgow, concerning lodgings for the King; “laquelle escript DES LETTRES, et a luy
“les bailla, dyfant, Vous direz de bouche a Monf.
“de Boduel,” &c.; and the answer which Bothwell sent to it; “escrivoit,—et, apres avoir faißt,
“il dict a Paris, Voyla LA RESPONSE.” We have also another letter from Bothwell to her, received as she was on the road returning to Kalendar with the King; “comme elle retournoit,—il s’adresse
“un homme de Monf. Boduel au dict Paris, et
“lui baille UNE LETTRE pour la presenter a la
“Royne,

“ Royne, ce qu’il fit ;” and the Queen’s reply to it ; “ elle rescript UNE LETTRE.” Then we have another letter of the Queen’s, which she wrote late at night from Kirk-a-field to him ; “ escrivoit de
“ LETTRES a Mons. de Boduel, et les envoye par
“ le dict Paris au Sieur de Boduel environ l’onze
“ ou douze heures de nuit ;” and his return to it ;
“ il RESCRIT, estant au liect.” And we have finally a letter of hers from Linlithgow, and a letter of his from Halton near it ; “ la Royne rescript UNE
“ LETTRE par le dict Paris ;” and Bothwell, “ apres
“ avoir ESCRIPT,—dit au dict Paris,” &c. We have thus four couples of letters betwixt Bothwell and the Queen, in this confession.

But what became of these letters afterward ? The first to Bothwell is intended for the first of the eight. Where then are the others ? Where are Bothwell’s, particularly ? These must be of considerable importance in themselves. They would elucidate the scheme of the murder, in the selection of the lodgings, compleatly. And the addition of his letters to hers, would corroborate the testimony of the latter very greatly. Yet, notwithstanding these powerful reasons for exhibiting Bothwell’s letters ; and though the rebels might with as much ease, and with more judgment, have discovered some of his letters in her custody and in her silver box, as well as hers in his custody but in her box ; yet they never pretended to any of his. They could not imitate his writing, though they could hers. They therefore left the *love-sick* Mary, to lose or to destroy (for she could not have concealed)

cealed) all his letters; and the *cold-hearted* Bothwell, to preserve hers carefully. So awkwardly is this whole machine of forgery put together! And so surely, the moment we come to see it work, do we hear the wheels grating and jarring against each other; and half the movements obstructed, by some counter-movements within! What, however, becomes of the three remaining letters of Mary's? They will undoubtedly be produced, though Bothwell's are not. Yet they are not. The letter written between Glasgow and Kalendar, was never produced at all. It is not even noticed in the journal. It is equally rejected by this rebel register of the letters, with the letter to Bothwell on the 15th of June, and with the letter to the captain of Dunbar castle afterwards. And it is therefore pronounced spurious, by the authoritative voice of the rebels themselves. But the other two are noticed in the journal. One of these is the letter from Kirk-a-field, on February the 7th. The other *meant* to be the letter from Linlithgow, of January the 29th. But, by a confusion that exposes the forgery at once, *this* mistook the Queen's abode at Linlithgow on April 23, when by the journal no letter was written at all; for that of January the 29th, when by the same authority one was written. Thus the confession makes her send a letter from Linlithgow on April the 23d, and not one on January the 29th; while the journal makes her send one on January the 29th, and not one on April the 23d. And *this* therefore is evidently spurious. It was accordingly not produced by the rebels;

rebels; though its counterpart, or itself, whichever we may call it, *alter et idem*, is expressly mentioned in the journal. But the letter from Kirk-a-field was produced. - It was produced at York. It was suppressed, however, at Westminster. It was suppressed for ever afterwards. And a suppression after an exhibition, pleads more strongly perhaps, than a regular suppression from the beginning; certainly pleads with a decisive powerfulness; for the forgery of the letter *.

We have also another letter in this confession, that, from the slight and incidental mention of it, is likely to escape all observation. Paris says, that on the day Bothwell imparted the design of the murder to him, which by his first confession appears to have been "Wednesday or Thursday before the "Sunday of the King's murder †;" and which was the day the Queen lay at Kirk-a-field for the first time, "qui fust le mesme jour que la Royne couchast "au logis du Roy a Kirk-a-field;" at night, "ceste "nuit," she sent him betwixt eleven and twelve, "environ l'onze ou douze heures de nuit," with one of the letters above to Bothwell. He went,

* Goodall, ii. 76, 77, 78, 80, 81, 83, and 84. Though the letter from Linlithgow *in the confession*, was thus suppressed at Westminster and at York, together with the letter from Linlithgow *in the Journal*, the two *Sofias* of this *play* of ours; yet the *former* was particularly noticed many years afterward by Buchanan. "Inde," he says, Hist. xviii. p. 356, and means Linlithgow, "ad Bothuelium scripsit per Paridem, quid de "raptu fieri vellet." And this shows us again the perpetual versatility of guilt.

† Goodall, i. 137.

delivered

delivered the letter, and returned with an answer. It was now Friday morning, “*estant de retour vers* “*la Royne Vendredy au matin.*” And *that very night*, being the *second* night of the Queen’s lodging at Kirk-a-field, she sent him back again with another letter to Bothwell; “*ce Vendredy, la nuit la* “*Royne coucha encores au logis du Roy,—lui ren-* “*voya derechef porter DES LETTRES au Sieur de* “*Boduel *.*” Mary is thus described, as writing with a wonderful rapidity of correspondence to a man, who was only in her own palace of Holyrood-house, and with whom she had or might have been conversing all the day, on Thursday and on Friday; upon no incidents that had emerged since she left Holyrood-house and him, and merely because every day brought them ¹⁹⁷ nearer to the night of the murder. But then, for this very reason, the letter will be produced, to shew the rapidity from the date, to evidence the eagerness of Mary for the work, and to blast her eyes with the view, of this additional monument of her detected iniquity. Yet it is not produced. It is never shown. It is never pretended to be shown. And it is never pretended to be possessed by the rebels.

We have thus no less than six letters of the Queen’s, attested by the rebels to be genuine, and yet reprobated by the rebels as spurious. They appear to have been all launched, like so many bubbles, upon the bosom of the air; in order to delude Kirkaldy, Elizabeth, and all mankind, with

* Goodall, ii. 79, 80, and 81.

their specious show. They accordingly glittered for a time. But their time was short. It was shorter with some than with others. Some just shone and dropt. Others wore their artificial lustre for a longer period. But the longest duration was only short. Then they all burst successively. And these seemingly solid gems melted away into air.

But we have other letters of Mary's, that equally melted away. We see a whole set of them appearing in the silver box with the eight, and even produced with the eight at Westminster. They were in Scotch, while the eight were in French. They were witnesses with the eight, to Mary's hatred of her husband, and to Mary's love of Bothwell, Yet they were withdrawn, while the eight remained behind. And, while the eight were allowed to walk the world and enjoy the sun, these were remanded back into the dungeons of darkness in which they were born, and there strangled by the murderous hands of their own parents.

SECTION II.

BUT let us now pass from letters to other writings forged by the rebels. And let me particularly mention at some length, a forgery of a still more extraordinary nature, than any that I have mentioned yet; one which comes next in order of time, and which, equally with seventeen of the preceding, involves all the leaders of the rebellion in its criminality.

In the parliament of December 1567, said the re-
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bels in a formal address to the English commissioners at Westminster, “some of them which be now their
 “adversaries were present, and gave their voyce
 “to the same” law for deposing and imprisoning Mary, “without contradiction*.” The rebels even
 “produced and shewed a wryting, signed by Mr.
 “James Macgill, clerk of the register; conteyn-
 “ing a request, by way of protestation, by the
 “Erles of Huntly and Argile, and the Lord Her-
 “rys; by the which they require to have no faulte
 “imputed unto them, for not doing their duty
 “since the 10th of June 1567,” the commencing
 day of the rebellion, “until the 29th of December
 “then following,” the concluding day of this par-
 liament; “for the which, by order of parliament,
 “they were acquitted: which wryting was produced
 “by them, to shew in what sorte the said Erles and
 “the Lord Harrys had acknowledged in parlia-
 “ment, their obedience unto the King” the infant
 son of Mary †. They accordingly exhibited, what
 they called “an authentick extract or exemplifica-
 “tion of a protestation” made by them. In this
 the peers desire, “that na fault suld be imput to
 “thame,—albeit thay haif nocht done sik thingis
 “as thay suld haif done, obediently and as be-
 “came thame of thair dewtie.” Then the Regent
 is said to have “declared, that he forgaf and for-
 “gevis the saidis Erlis and Lord, for ony occasioun
 “bygane; and, siclike, all uther liegis of this
 “realm, quhilks will in tyme cuming assist to the

* Goodall, ii. 234.

† Ibid, 236—237.

“ Kingis Majestie and his Regent.” This declaration from the Regent “ being voted be the three
 “ estatis of parliament, thay in like wise declared
 “ according to the foresaid declaratioun of the said
 “ Lord Regent; quhairupon the saidis Erlis and
 “ Lord asked instruments.” And the protestation is finally attested thus: “ extractum de libro actorum
 “ rum parliamenti, per Magist. Jacobum Makgill
 “ de Rankillour-Nether, clericum rotulorum registri, et consilii S. D. N. regis, sub meis signo
 “ et subscriptione manualibus. JACOBUS MAC-
 “ GILL *.” All this carries with it in appearance, every note and evidence of authenticity, that a record can possibly lend. Yet it is all an imposition, played off by the hands of superlative knavery, upon the faith and honesty of the world. This may be proved, with an uncommon force of evidence. This may be proved, from the very rebels themselves. This may be proved too, from the united attestations of the royalists. And I shall lay this unknown mine and counter-mine of iniquity, all bare to the eye of the sun.

When the rebels had made their address and presented their paper before, to the commissioners of England; they thought they had not yet gone far enough, in their course of forgery. Ever spurred on by the suspicious activities of guilt, they could never stop in their career, till they had reached the goal. They therefore presented another paper to the commissioners; and at the very time probably, when

* Goodall, ii. 237.

they presented the three additional letters, the bond for Bothwell's marriage, and the rebel journal. This is not noticed by the commissioners, any more than the journal, the bond, or the letters. But, equally with some other papers presented by the rebels, it is found repositied in the paper-office *. And it tells us evidently by its language, that it was drawn up by the rebels. They intended by it to fortify their former paper, and to entrench themselves behind a double line of works. But, with the curse that has so repeatedly attended the operations of these head-engineers in villainy, they have drawn their second line in such a manner, as, in the hands of an enemy, to prove a perfect counter-vallation to the first. And they have directly refuted their previous, by their succeeding, forgery.

This second paper is called "an account of Lord Herreis's behaviour in the parliament held December 15, 1567." In it Lord Herris is said to have "made a notable harangue, in the name of the Duke and himself, their friends and adherents (the Duke himself, the Earl of Castles, and the Abbot of Kilwinning, being also present) to persuade the union of the whole realm in one mind." In this speech, say the rebels, he did not spare to set forth solemnly the great praise *that* part of this nobility did deserve, which in the beginning took meanes for punishment of the Earl Bothwell; as also, seeing the Queen's inordinat affection to that wicked man, and that

* Robertson, ii. 385.

“ she could not be induced by their persuasion to
“ leave him, that, in sequestering her person within
“ Lochlevin, they did the duty of noblemen.” He
added, they say, “ that *their* honourable doings,
“ which had not spared to hazard their lives and
“ lands, to avenge their native country from the
“ slanderous reports that were spoken of it among
“ other nations; had well deserved, that all their
“ brethren should join with them in so good a
“ cause: that he, and they in whose names he did
“ speak, would willingly, and without any com-
“ pulsion, enter themselves in the same yoke, and
“ put their lives and lands in the like hazard, for
“ maintenance of our cause; and if the Queen her-
“ self were in Scotland, accompanied with 20,000
“ men, they will be of the same mind, and fight in
“ our quarrel.” He is reported also by the rebels,
to have expressed his “ hope, the remainder noble-
“ men of their party, Huntley, Arguile, and others,
“ which had not as yet acknowledged the King,
“ would come to the same conformity, whereunto
“ he would also earnestly move them; and, if they
“ will remain obstinate, and refuse to qualify them-
“ selves, then will the Duke, he, and their friends,
“ join with us to correct *them*, that otherwise will
“ not reform themselves.” And, as the rebels re-
mark upon the whole, “ so plausible an oration,
“ and more advantageous for our party, none of
“ ourselves could have made: he did not forget to
“ term my Lord Regent by the name of Regent
“ (there was no mention at all of the Earl of Mur-
“ ray) and to call him Grace at every word, when

“ his speeches were directed to him; accompany-
 “ ing all his words with low courtesies, after this
 “ manner *.”

This is a most extraordinary forgery, in addition to the other. It even exceeds that, in the bold bravery of lying; though it is exceeded by that, in the formality of falsification. But it comes in happily, to prove the forgery of both. Some animals, in attempting to swim, are said to cut their own throats. The dexterity of forgery is often only its own bane. And it is peculiarly so here.

We were told by the rebels before, that “ some
 “ of them which be now their adversaries, were
 “ present” in parliament, “ and gave voyces to the
 “ same without contradiction;” and we are told by the rebels now, that “ so plausible an oration, and
 “ more advantageous for our party, none of our-
 “ selves could have made.” So far the two papers agree together. But they agree no farther. “ To
 “ shew *in what sorte*—Lord Herris,” and others,
 “ had acknowledged in parliament their obedience
 “ unto the King;” the rebels produced the *first*
 paper. This is “ a request by way of protestation,
 “ —by the which they require to have *no faulte*
 “ *imputed unto them*, for *not* doing their duty,”
 since the commencement of the rebellion. Accordingly, in the paper itself, they protest “ that
 “ *na fault suld be imput* to thame, nor any of thame,
 “ —albeit thay haif *nocht* done sik thingis as thay
 “ suld haif done, obedientlie, and as became thame

* Robertson, ii. 385—386.

“of thair dewtie.” And the Regent and three estates “forgaf and forgevis” them, “and—all uther
 “liegis—quhilks will, *in tyme cuming*, assist to the
 “Kingis Majestie and his Regent.” But, in the *second* paper, we see Lord Herris and his friends
 “acknowledging their obedience unto the King,”
 in a manner very different from all this. They do
 not *now* request forgiveness, and *so* show their obe-
 dience. No! They spurn at this creeping and
 groveling kind of disloyalty to Mary. They mount
 upward into the highest element of sedition, with
 boldness. They there inhale the foulest atmosphere
 of rebellion, with eagerness. And they breathe it
 out again with as loud a trumpet of treason, as
 even any of the rebels themselves could have
 founded. They assert “the Queen’s *inordinat af-*
fection to that wicked man” Bothwell. They own
 to the rebels, in consequence of this, that “in se-
 “questering her person within Lochlevin, they *did*
 “*the duty of noblemen.*” They declare to them,
 “they—will enter themselves in the same yoke,
 “and put their lives and lands in the like hazard,
 “for maintenance of the cause.” And they even
 aver that, “if the Queen herself were in Scotland,”
 and “accompanied with 20,000 men” there; “they
 “will be of the same mind, and fight in the quar-
 “rel” for the rebels. So very different is this ac-
 count of their behaviour, from that! Even so op-
 posite and contradictory is it! And so clearly does
 each convict the other of forgery!

But indeed the outrageousness of such a speech
 as this, from such a man as Lord Herris, betrays

its own forgery sufficiently of itself. He was uncommonly brave, steady, and resolute. He stood by the Queen with an unremitting spirit of vigour, for many years. He very early challenged Murray to his face, with a knowledge of the intended murder of Darnly *. He even offered to fight with Murray, upon this challenge †. *That* he did, before the parliament was held in 1567; and *this*, a twelve-month afterward. And he actually offered, about a year after the latter fact, to fight with Morton, as equally privy to the intended murder ‡. Yet even he is represented, making “so plausible an oration, “and more advantageous to their party,” as, “none “of themselves could have made.” Thus the stern and sturdy oak, that thrusts its head into the sky without fear, and mocks at all the tempests of it; is turned by the magick hand of fiction into a mere willow, that plies to every breeze. But, to heighten the absurdity still more, Herris is said to have “accompanied all his words with *low courtesies*” to Murray. And the hardy, gallant hero is exhibited to the world, in all the ridiculous attitudes of a *petit maître*; and made to

Duck with French nods and apish courtesie.

The truth is, that his very inflexibility of virtue and spirit, has drawn from the rebels this legendary account of him. They took their revenge for his challenge of Murray particularly, in this bold and

* Lesley's Defence, 75. Anderson, i.
271—273.

† Melvill, 100.

‡ Goodall, ii.

daring

daring defiance of all facts concerning him. They *therefore* described him, as asking forgiveness for his opposition to them. But such guilt as theirs, has never the discretion of stopping. They must go on, in their poor revenge. They must describe him, as ranting with them all in the insanity of treason. They thus disclosed the imposture to every eye. And they equally disclosed it, by a slight and incidental neglect in their forgery. "If the Queen herself WERE in SCOTLAND," they make him say, he would fight against her. Where then was the Queen, at the pretended period of uttering this speech? She was actually in SCOTLAND then. She was actually in Lochlevin. But she was *not*, it is plain, when the speech was *forged* for Lord Herris. She was *then* in ENGLAND. And the forgers were so little attentive to the course of their own ideas, as once to write to the *present* moments, even while they were forging for the *past*; to expose their forgery by their confusion; and to show it was made at the time in which it was presented, even during the conferences in England.

But let us attend to another proof of the forgery, that is still stronger than all these. Lord Herris is made to utter this speech, "in the name of the DUKE," the Duke of Chatelleraut, then the only Duke in Scotland, "and himself, their friends and adherents; the DUKE himself, the Earl of CAS-
SILLES, and the Abbot of KILWINNING, being also present." Yet *not one of all these*, except Herris himself, *was ever present* at this parliament. This may be proved, from a paper signed and attested
by

by Herris and Kilwinning themselves, from a special record of the time, from the concurrent assertions of Buchanan, and from the very rolls of parliament. “Ane gryte part of the nobilitie,” says the paper, “and *speciallie* of THE MAIST PRINCIPALLIS,” of which the Duke must necessarily be “one; never obeyit, *voitit*, or subscrivyt with thame, “but ever enrollit and held thair courtis in the “Quenis Majestie thair soveraignis name; and “utheris, quhilk *did* compere in the said pretendit “parliament,” &c. * *Those*, therefore, did *not* appear in this parliament. Indeed the Duke could not possibly appear in it. He was not even in SCOTLAND then. He was actually in FRANCE. From thence, as he had a right of eventual succession to the crown, he sent a person to protest in his name, against any infringements upon the succession, which Murray and his parliament might make. With this commission the person deputed came into Scotland, and waited upon Murray. But Murray refused him all admittance into the parliament-house. “Giff the Duk,” he cried, “WILL NOT CUM HEIR, and join himself with us, “let him luk for nothing heir; and giff he *prop*ones, as we understand, *our destruction*, and to “cut ower throwts, ye sal be assurit, that we sal “find remeid, and cut his and all theirs that wald “so do, rather or ours suld be cuttit †.” The Duke, therefore, was undoubtedly *not* present at

* Goodall, ii. 168—169. † Extract from the Proxy's Report, among Goodall's MSS. Stuart, i. 277.

this parliament. He was not even in the island. He was even "proponing the destruction" of the rebels who held it, at the very period of holding it. Yet Buchanan takes a still larger range, in his intimations. He goes beyond the Duke, to all his adherents. In a small political pamphlet, which he wrote in 1570, and called "an admonition to the trew lordis," he says, "of the Hamiltounis," and of this parliament; that "there wold NANE OF THEM CUM TO PARLIAMENT, to further thair de- fyre with *ane anerlie* [only] *vote*, but LAY BAKE to keip tham selfis at libertie to reproif *all*, that should be done in that conventioun *." Accordingly, they are not named as appearing, by the rolls of it. The Duke is not upon the rolls. The Abbot of Kilwinning is not upon them. And the Earl of Cassils is not †. The speech then, which says they did attend, and which says they concurred with Lord Herris in it, is demonstrably proved to be false.

But there is another demonstration, lying latent in the same circumstance. The peers, who are reported in the *first* paper to have attended in this parliament, and to have acted in union with Lord Herris in it, are *not* the Duke, the Earl of Cassils, and the Abbot of Kilwinning, as in the *second* paper; but the Earls of HUNTLY and ARGYLE. Yet both these the second paper very plainly declares, to have *not appeared* in this parliament.

* P. 4, Ruddiman, vol. ii. See also p. 5, and advertisement at the end, for the year in which it was written.

† Anderson, ii. 228—230.

“He hoped,” Herris is made to say, “the *remainder* noblemen of their party, *Huntley, Arguile,* “and others, who *had not as yet acknowledged the* “*King*, would come to the same conformity, where-
“unto he would also earnestly move them; and,
“if they will *remain obstinate*, and *refuse to qualify*
“*themselves*, then will the Duke, he, and their
“friends, join with us to correct them, *that other-*
“*wise will not reform themselves.*” And the royalists present when this speech was uttered, are said before to have been “the Duke himself, the Earl of
“Cassilles, and the Abbot of Kilwinning” only. It thus includes, among the attending members of parliament, those who did not attend and also excludes from the number, those who did actually attend. Argyle and Huntly, thus spoken of as absent in the second paper, are positively declared to have been present by the first. And they were undoubtedly present; the rolls of parliament equally specifying these, and omitting those.

So evidently does this speech contradict the protestation before! So evidently does that protestation contradict this speech! And so unwarily have these bungling electricians managed their dangerous machine; as to charge it full of lightening, with a design of pouring it all upon the head of Mary; and yet to receive the full stream of its fires, into their own bodies! We can, however, demonstrate the forgery of both, not merely from their wild and mad opposition to each other, but from their equal and common opposition to facts. In the reply of the Queen’s commissioners to the answer of
the

the rebels, before the commissioners of England; we have a number of useful and important truths, unfolded to us. I have cited some from it, in the preceding parts of this work. I have cited one immediately before. And I shall now cite the same passage again, with a much longer passage attached to it; as a full evidence against both these forgeries together.

We are told by the rebels before, that the Earls of Huntly and Argyle, and the Lord Herris, did in the parliament of December 1567 “acknowledge their obedience” unto the new King, by requesting the remission of all their offences since June the 10th before; not their offences against the King, for he was not crowned till July 29th*, but their offences against the rebels themselves, who broke out into rebellion on the 10th of June; that the Regent and the three estates in parliament did grant them a remission, on condition of their future obedience to the King; and that the three peers upon this “asked instruments,” that is, took formal attestations of their own remission: or, as the rebels afterwards *recollected the fact to be*, that Herris, in the name of the Duke of Chatelleraut, of the Earl of Cassils, of the Abbot of Kilwinning, then present, and of himself, made a violent speech against the Queen; accusing her of “inordinate affection” for Bothwell; approving of her imprisonment and deposition; declaring him and them, ready to join in the cause against her; even vowing

* Appendix, N° x.

to fight against her; and even promising to fight against his and their absent friends, Argyle and Huntly, if they would not join them in their defection from her. Yet Lord Herris, the Abbot of Kilwinning, and the other commissioners of the Queen, do declare all this to be absolutely false; and even without knowing a word of it. They declare it to be false, only by telling us what is true. In a formal paper, signed and attested by John Bishop of Ross, Lord Boyd, *the Abbot of Kilwinning*, *Lord Herris*, Lord Livingston, Sir John Gordon of Lochinwar, and Sir James Cockburn of Skirling, and given in by them to the commissioners of England; we have this account. “Ane gryte part of
 “the nobilitie,” they say, “and speciallie of the
 “maist principallis, never obeyit, voitit, or sub-
 “scryvit with thame, but ever enrollit and held
 “thair courtis in the Quenis Majestie thair sove-
 “reignis name; and *utberis*, quhilk did compere in
 “the said pretendit parliament, *tuik instrumentis*
 “and *protestatiounis*, baith in articlis,” in the pre-
 vious committee of the lords of the articles, “and
 “at the voyting tyme in plane parliament;” not
 protestations of requiring to have no fault imputed
 to them for their obedience to Mary, and not in-
 struments of their own remission from the infant
 and unwitting usurper of Mary’s throne; but in-
 struments and protestations, “that THAY CON-
 “SENTIT TO NA HURT OF THE QUENIS MAJES-
 “TIE’S persoun, ESTAIT ROYALL, NOR CROWN,
 “farther nor her Hienes WALD FRIELIE APPREIF
 “HIRSELF, BEING AT LIBERTIE; nor yet WALD
 “VOIT

“ VOIT IN ONIE THING CONCERNING HER GRACE’S
 “ HONOR NOR LYFE ; bot PLANELIE OPPONIT
 “ THEMSELVES IN THE CONTRARE, howbeit THAY
 “ HAIF CAUSIT INSERT UTHIRWAYIS IN THAIR
 “ PRETENDIT ACTIS, and WILL SUFFER IN NA
 “ WAYIS THAIR CLARKIS TO GIF FURTH THE
 “ FORESAID PROTESTATIOUNIS *.”

This is very peremptory. It carries the proof of the whole forgery, to its full point of perfection. Whatever the rebels dared to say, and they dared to say whatever their heart dared to suggest ; Herris and his friends never spoke in favour of the rebels, never confederated with the rebels, never confederated or spoke against the Queen, and even entered formal protestations that they would not. These protestations the rebels could not prevent them from entering. But they could suppress them afterwards. They therefore would not suffer their clerks, Makgill and his deputies, to deliver out

* Goodall, ii. 168—169. It is also become additionally requisite to note this, as Dr. Robertson, in the last edition of his history, has inferred from the appearance of some of these lords in the rebel parliament, that they “ *assisted* in framing
 “ all the acts, by which the Queen was deprived of the crown,
 “ and her son seated on the throne ; and in particular *concurred*
 “ in the act, by which it was declared, that whatever had be-
 “ fallen the Queen “ was in her awin default, in sa far as,”
 &c. ii. 325. From such a calumny, so false and so enormous, it is only common charity to vindicate these worthy loyalists. And in the same edition, ii. 339, we have even Lord Herris’s forged speech cited, for the Queen’s “ inordinate affection” to Bothwell. So much, even in the xith edition of his history, is Dr. Robertson’s account of facts vain and visionary !

any

any copies of these written instruments, after they were entered. They could then venture upon a still more impudent deed of dishonesty. They denied, that the peers had made any such protestations at all. They asserted, that they had voted with them in the parliament. They affirmed, that they had acknowledged obedience to the new King, by soliciting and receiving a pardon for their disobedience before. Then kindling, like a chariot-wheel, with their own motions, they proceeded further to aver; that Herris and *others*, whom they strangely mistook for the *same*, had even acknowledged obedience in the most violent terms of treason against Mary, had abused her with all the rankness of rebel scurrility, and had offered to risque their lives, to stake their lands, and (as I may add) to pawn their very souls too, in aid and support of the rebel cause. They actually forged a speech for Herris, to this purport. They actually forged a protestation to this purport, for Herris, Argyle, and Huntly. They even made their principal clerk, Makgill, to exemplify the forged protestation by his own sign manual and subscription. And they crowned all, by making Makgill also to enter a bold and daring lie upon the journals of parliament; to assert the concurrence of those with them, who had actually protested against them; and to bear down all their formal instruments of protestation, by the very brunt and shock of audacious falsehoods.

SECTION

SECTION III.

TO such a pitch of impudence and imposture, did these men now mount in conjunction! But even these are not all their forgeries. We have still more behind. And let us now beat this entangled covert again in quest of the remaining game, again mark the knaveries as they rise up before us, and again show them in all their liveliest attitudes of villainy, to the publick eye.

One of these forgeries I have noticed before. This is the warrant which the rebels produced at York, signed pretendedly by the Queen, and authorizing the Lords to subscribe the bond, for recommending Bothwell as a husband to her. A recommendation of this nature to her, which was previously recommended by her, is such a monster in life, as destroys its credibility by its absurdity. The rebels, therefore, very wisely suppressed it at Westminster. They equally produced the bond, as at York. But this very bond *precluded* in *terms* the warrant. It professes to “fortifie the said Erle to
“the said mariage, so farr as it MAY pleise our said
“soverane Lady to allow*.” And the English commissioners at York, in the very moments of producing the warrant to them, speak in the very same style concerning the bond; declaring it to contain “a generall consent to Bothwell’s mar-
“riage with the Quene, so far forthe as her owne
“likings SHOULDE allowe†.” This language

* Anderson, i. 110.

† Appendix, N° v.

proves decisively, that the Queen had not *then*, at the moments of *subscription*, very strikingly allowed the bond by the warrant, and had not proved her liking very significantly for the marriage. For this and other reasons probably, they carefully suppressed the warrant at York. They did not even make the slightest mention of it. They mentioned it no more, than the letter of the 15th of June, the letter of the 18th of July, and the four letters of the confession. And they once more betrayed their knavery, by their modesty.

In 1567, Kirkaldy was as little suspicious as an honest man generally is, of any practices of forgery among his friends. But in 1569 he could practise them himself. He had too long been associated with knaves, not to catch the infection of their knavery. The human body assimilates itself by degrees, to any variation of climate. The human mind is equally pliant. And the companion of forgers, became a performer in forgery soon. In order to rescue Lethington, from the now hostile hand of Murray; these profligates successively quarrelling with each other, and successively endeavouring to inflict the punishment, which they knew each of them deserved; while

even-handed justice

Return'd th' ingredients of their poison'd chalice

To their own lips :

Kirkaldy made no scruple to forge a warrant, or to have one forged, in the name of Murray; to retort the man's own practices upon himself; to produce it

it to the Keeper of Lethington; and so to get Lethington's person into his own possession *.

“In the library of the university of Glasgow,” says Anderson in his General Preface †, “there is
 “an original bond, consisting of several skins of
 “parchment; signed by one hundred and twelve of
 “the nobility and gentlemen of prime note in
 “Scotland, upon Queen Mary's [pretended] re-
 “signation of the government in favour of her son;
 “which” has been “—published by—Dr. Burnet,
 “late Lord Bishop of Sarum, in—his History of
 “the Reformation—, but not with the names of
 “all the subscribers; and being generally thought
 “a paper of great importance, I have therefore pub-
 “lished it—with the subscriptions at full length.”
 And, as Anderson in another place ‡ adds, “what
 “the disposition of the nation was at the time of
 this parliament,” in December 1567; “may in
 “some measure appear from the bond, then enter-
 “ed into by so many of the clergy, nobles, gentle-
 “men, and barons.” Yet there is sufficient evi-
 dence to convince us, that this boasted bond has
 passed through the hands of forgery, and that for-
 gery has been busy in enlarging its list of sub-
 scribers.

Bishop Burnet, says Anderson, has not published the names of *all* the subscribers. Indeed, says Keith ||, “the subscriptions in the bishop's copy
 “come *far short* of Mr. Anderson's; neither are
 “they *in the same order*, so far as *they proceed to-*

* Buchanan, Hist. xix. 383.

† P. xiii.—xiv.

‡ P. xxxvi.—xxxvii.

|| P. 434.

“*gether.*” But, what is more, the original (as Anderson tells us) is “signed by *one hundred and twelve* ;” and yet his own copy contains nearly double the number, even *two hundred and sixteen* *. This is a very extraordinary variation. Nor can any apology be made for it, by supposing his account to take in only 112 of the first, or 112 of the principals. After the first 112, come several gentlemen of consequence, and even some *knights* ; as 115 is “Jhone Edmiston of yat ilk, knyght ;” 142 “John Cockburn of Ormiston,” a family well known to be of consequence ; 160 “Thomas Ker of Fernhest,” a family better known to be so ; 162 “Gylbert Ker of Prudensyd, knyght ;” 164 “Thomas Turnbull of Badroule, knyght ;” 167 “Lochinwar,” meaning Sir John Gordon of Lochinwar ; 174 “Charles Murray of Cokpuill,” a man of considerable fortune † ; &c. &c. Anderson even speaks of the subscribers *in general*, as men of weight in the scale of the state. The bond, he says, was subscribed by “so many of the clergy, nobles, gentlemen, and barons,” that he infers the main body of the nation, to have taken part with the rebels. “It is observable,” he even adds, “that most of the persons subscribers of that bond, and of those who were present at the parliament in December 1567 ; are the same with those, who attended the parliament or convention in August 1560 ‡.” Most of the subscribers, therefore, were members of parliament. And Anderson accord-

* See it in ii. 233—240.

† Peerage, 180.

‡ P. xxxvii.

ingly speaks of all the subscribers, as “one hundred
“and twelve of the nobility and gentlemen of
“prime note in Scotland;” without one intimation
that there were any others besides, and with an
obvious import that “one hundred and twelve”
were all.

So negligently has the bond been published by
Burnet, and been spoken of by Anderson! But
Anderson has spoken of it still more negligently.
He infers the concurrence of the nation with the
rebels, from the number of subscribers to it, when
many of the subscribers are apparently *loyalists*;
when the *second* and *third* on the list are HUNTLY
and ARGYLE, those pre-eminent loyalists at the
time; and when FORGERY ALONE COULD HAVE IN-
SERTED ALL, OR SOME, OF THOSE NAMES. That
the names of Argyle and Huntly, particularly, are
inserted by the pen of forgery; we have a sufficient
evidence in what I have already shown, of their real
behaviour at the rebel parliament, and of the fal-
shoods forged by the rebels concerning it. They
would so little subscribe to the rebellious bond of
association against Mary, and so little agree to *crown*
her son in her stead, to *transfer* their allegiance from
her to him, and to *support* him in his usurpation
against her and all opposition; that they “wald
“not voit in *onie* thing, concerning her Grace’s
“honor nor lyfe; but planelie opponit themselfis
“in the contrare” by formal protestations. They
“tuik instrumentis and protestatiounis, baith in ar-
“ticlis, and at the voiting tyme in plane parliament;
“that thay consentit to na hurt of the Quenis Ma-
D 3 “jestie’s

“jestie’s persoun, estait royall, nor crown, farder
 “nor her Hienes wald frielie appreif himself, *being*
 “*at libertie.*” And their names unite with those of
 other loyalists, to shew the fingers of forgery very
 plainly foiling the list.

One of these other names even comes in, as an
 additional mark of forgery. In Douglas’s Peer-
 age * we are told, that “James, third Lord Car-
 “lyle,—was one of those noble patriots, that en-
 “tered into that memorable association, obliging
 “themselves to stand by Queen Mary with their
 “lives and fortunes, &c. anno 1568. MS. in the
 “advocates library, p. 167.” This association was
 entered into, on May the 8th, 1568. Yet JAMES
 Lord Carlyle, we are told, entered into it. And
 this gives us a specific proof of the forgery. In the
 list of subscribers to the rebel bond, and the *twenty-*
fourth in the list, is this signature, “MICHAEL
 “Lord Carleyll, with my hand at the pen, Al. Hay,
 “Notarius †.” The Lord Carlyle, who subscribed
 to Mary’s bond in May 1568, was *James*. The
 Lord Carlyle, who signed the rebel bond the *year*
before, was *Michael*. And yet “Michael, *fourth*
 “Lord Carlyle,” the *second* son of Sir William se-
 cond Lord Carlyle, is noticed expressly in a charter
 from King James, as “*frater et hæres Jacobi do-*
 “*mini Carlyle ‡.*” James died, probably, soon
 after his subscription to Mary’s bond. Michael
 then succeeded him. And some time afterwards,
 when the exact period of this event was no longer

* P. 121.

† Anderson, ii. 233.

‡ Peerage, 121.

remembered with precision, a forger came, and inserted Michael's name by mistake for James's; just as the names of Huntly, Argyle, and other royalists were inserted, to lengthen out the number of honourable subscribers, and to give a greater dignity to the association.

Nor let prejudice entrench itself in disingenuousness, by alledging any supposed inaccuracy in in Douglas and his MS. concerning the subscriptions above. The MS. is a copy made by the late Mr. Crawford of Drumfay, historiographer to Queen Anne, from a writing in the Cotton library. This writing is the original to us, because it is the primary paper. But it is only a transcript in itself, one made for Cecil by some Scotchman, I suppose, and writing the names from the pronunciation. Crawford's copy has been published by Keith, and I now publish Cecil's in my Appendix *. There the last among the "lordis" is "Cairliewe" for Carliel. No *personal* appellation is prefixed to the titular, any more than for numbers before and behind. The subscriber appears not either as *James* or as *Michael*. Yet he is certainly James. Douglas without hesitation asserts him to be James, and from some sure motives probably that he had before him at the moment. Nor is he wrong. Michael, we see, from his known inability to write, has his name inserted in the rebel association of 1567 by the hand of a publick notary. But the subscriber to Mury's

* See N^o xvii.

association a few months afterward, writes his own name like the rest. He was totally different from Michael, therefore. And as *Michael* appears expressly from the record cited by Douglas, to have been the *heir and brother* of *James*; *Michael* could not, either mediately or immediately, have subscribed to the rebel association in 1567 as Lord Carlyle, because his elder brother *James* was *then* Lord; and the name of Michael comes prominent to the eye, an additional evidence of the interpolating hand of forgery, in the list of rebel subscribers.

I have sufficiently proved before, the astonishing promptness of these rebels, to make out in forgery what they wanted in truth. But the present fact serves to enforce and enlarge the proof. All concurs to show the "questionable shape," in which any paper must appear that comes from the rebels. And we have a memorable instance of this, in another part of Anderson's General Preface.

In the Cotton library, he says, he found two papers, one an accord between Francis and Mary and their subjects, the other their commission for making it; and "both these papers, being in the
" original French as signed by Monluc and Ran-
" dan, are *attested under the hands of Lord James*
" *Stewart—, and of the Lord Ruthven and secretary*
" *Maitland*; which paper [containing both] is—
" more FULL and SATISFACTORY, than any *transla-*
" *tion* or *account* we have of it from historians,
" containing MANY CONCESSIONS made by Francis
" and Mary to their subjects of Scotland, with
" relation

“relation to their rights and liberties *.” This extraordinary paper has been since published in a full translation, by Keith. It carries all the pomp of authenticity in its signatures. It is signed at the bottom of the commission, which comes immediately after the accord, “FRANCIS” and “MARY.” It is countersigned, “by the King and Queen, De l’Aubespine.” It is then sealed with yellow wax, and signed below, to ratify the accord, “MONLUC E. of Valence,” and “RANDAN.” Then follows a preface to an intended list of Scotch subscribers to the accord; *without any list at all.* And the whole is finally authenticated as genuine, by this attestation: “this is the trew copy of the originall conferred and collationed. JAMES STEWART. RUTHVEN. W. MAITLAND †.”

Yet this is all a forgery. Those very concessions, upon which Anderson dwells so particularly; upon which he might well dwell so; and of which we have no mention, in any other “translation” or “account” of the agreement then made; plainly intimate *this* copy of it to be a forgery, when we couple it with the detected forgeries before. What has no other authority, than the attestations of such convicted forgers, as Murray, Maitland, and their associates; certainly comes in a very suspectable character to us. The very touch of such villains carries contagion with it.

* P. xxxiii—xxxiv.

† Keith, 137—144.

—————Horrifico lapfu de montibus adfunt

Harpyiæ, —————

—————Contactuque omnia fœdant

Immundo; tum vox tetrum dira inter odorem.

And whatever paper has been under the hands of these political harpies, must be considered by every thinking mind; to carry in its very "fullness" and "satisfactoriness" of intelligence, in its very singularity and amplitude of concessions to the rebels, the mark of their defiling claws imprinted strongly upon it.

But, in the present case, positive evidence is remarkably superadded to presumptive. There is an unfortunate error in dating the latter of the two instruments, that exposes the forgery of both compleatly. The commission is said to have been signed by Francis and Mary, "at Remorentin, the "2d day of June, in the Year of Grace 1560, and "of our reigns the first and SIXTEENTH." But this is a gross error in chronology. Mary was now, not in the sixteenth, but in the EIGHTEENTH, year of her reign. Her reign commenced nearly with her birth, in the month of December 1542. All authors agree in this*. In June 1560, therefore, she must be past her sixteenth year. She must be past her seventeenth. She must be in her eighteenth†. And, as the seal of forgery upon the paper thus comes forward with a bold and strong

* Keith, 22. † See dates accordingly in Keith's History, 112, Appendix, 105, 115, 157, and 172, and Haynes, 378.

relief to the eye; so does it show the whole to have been forged, with the same spirit of hastiness and negligence, with which we have seen the letters forged before; a first effort in the same operations of villainy; a promise of all that was performed afterwards, in the letters, in the sonnets, and in the contracts; and a suitable prelude to that grand consummation of iniquity, in which rebellion appeared throwing out its giant-arms of forgery on every side, and Murray and his accomplices appeared ready with their giant-falshoods, to storm the very heavens themselves*.

SECTION IV.

BUT the infamy of forgery was not confined to Scotland, at this period. It extended equally to England. In 1581 Randolph, the agent of Elizabeth at the Scottish court, exerted himself with a very extraordinary vigour, to drive the new Earl of Lenox from the administration of affairs, and to replace Morton in it. He therefore applied to the young king. But failing in his aims there, he addressed himself to the parliament. He charged Lenox with having supplanted Morton, and other true subjects, in the good opinion of the King. He PRODUCED SOME LETTERS, that had been writ-

* As this point is of much consequence in itself, I have paid it the compliment to re-consider it at full length, and in a distinct dissertation; Appendix, N^o xiv. And see also more forgeries of the Scotch Reformers, exposed in N^o xv.

ten by Lenox, he said, to encourage foreign nations in a descent upon England. And he conjured them, by their regard for the Reformed Religion, to resent this conduct, to draw their swords (if necessary) against their sovereign himself, and to expect the assistance of Elizabeth in the pious work. Here, as against Mary before, was a formal production of forgeries, to justify accusations and to sanction rebellion. Only here, the letters stepped forward boldly, and appeared upon the open theatre of the world. They sued to be seen and examined, by Lenox and by all the parliament. And, for that very reason probably, it was instantly discovered that they were forged *. They were forged most probably by Morton himself, as Kirkaldy's was, I suppose, by Lethington. Those were forged to rescue Morton, as this was to rescue Lethington, from a trial for THE MURDER OF THE KING. And yet Dr. Robertson, with a dissingenuousness that nothing can excuse, omits all mention of these forged letters †.

On the detection of them, Randolph was justly reproached with the profligacy of his conduct. Nothing but the peculiarity of his situation, as an embassadour, could have screened him from the vengeance due to it. Even Elizabeth was very naturally considered, as an associate in the foul act

* Camden, Transf. 262, Orig. i. 316, "plerique suspicabantur;" Spotswood, 312, "the wiser sort esteeming the letters he produced counterfeit, as afterwards also was known;" and Crawford, 369, "the very letters he produced were found, upon the first enquiry, to be mere forgeries." † ii. 78.

of forgery with him *. He acted, no doubt, by her directions. The peculiar boldness of his proceedings shows it. But indeed Elizabeth did not attempt, to vindicate herself from the imputation. She never disowned, either the violence or the fraudulence, of her embassadour. She did not even recall him. She actually justified him in form upon his return, as a man of integrity, and as a friend to Scotland †. And she thus made all his forgery her own.

She had long been habituated, to the sight of forgery. She had seen it displayed in its liveliest colours, at the conferences before her commissioners. She had made herself a party in that grand deed of knavery, by assisting in the deception, and by uniting to prosecute the purpose of it. But she afterwards went further in forgery. She rose from the humility of an accomplice, to the dignity of a chief, in the work. The vile arts, which she had seen practised by the Scots against their Queen, she practised with more confidence, and with less success, against the Scots themselves. And she exercised them equally, against Mary afterwards: letters forged in the name of Mary, being sent to the houses of papists; letters forged in the names of papists, being pretendedly intercepted on their way to Mary; and even forged letters from Mary concerning Babington's conspiracy, being pretended to be found in the wall of her prison ‡.

Elizabeth

* Stuart, ii. 136. † ii. 138. ‡ Stuart, ii. 196, 208, 251, and 267. Walsingham appears to have been the great

Elizabeth had probably been taught this highest act of flagitious policy, by that *trio* of the most un-
 great agent of Elizabeth in this business. In an intercepted letter of Mary's for Babington, says Camden, "was cunningly
 " added" by Walsingham, "after the opening, a postscript in
 " *the same characters*, desiring him to set down the names of
 " the six gentlemen, and its likely, other things too" (Orig. i. 408, Transf. 341). And Mary accordingly intimates her suspicion, as to some counterfeit letters produced against her, that "this was done by *Walsingham*, to bring her to her end" (Orig. i. 424, Transf. 355). But that forgery appears to have been dreadfully common in England at this period, is plain from a single fact. "I said before, that the Earl of Essex in
 " 1601 complained of his *letters* being *counterfeited*. Hereof
 " a diligent enquiry was made, and a notable imposture discovered. The countess his wife, misdoubting some mischief
 " to her husband and herself in this troublesome time, put
 " certain *love-letters*, which she had received from him, into
 " a *cabinet*, and intrusted them in the keeping of a Dutch
 " woman named Rihove. This Dutch woman hid them at
 " her house. By chance John Daniel, her husband, lighted
 " upon them, read them, and, observing that there was something in them which might endanger the Earl and incense
 " the Queen, caused them to be *transcribed* by one that was
 " expert in imitating hands very like the original. And when
 " the fearfull Countess was ready to lie in, he told her that
 " he would presently deliver them into the hands of the Earl's
 " enemies, unless she would forthwith give him 3,000 pound.
 " She, to avoid the danger, gave him presently 1,170 pound
 " down. And yet, for that great summe, she received *not* the
 " original letters, but the *copies*, from the imposteur; who
 " purposed to wipe the Earl's adversaries also of a great summe
 " of money, for the *originals*. For this imposture he was condemned to perpetual imprisonment, fined at 3,000 pound,
 " whereof the Countess was to have 2,000, and to stand with
 " his ears nailed to the pillory, with this inscription, *A wicked forger and imposteur*" (Camden, Transf. 630—631, Orig. ii. 249, 250).

principled politicians, which human impiety perhaps ever generated all together; Murray, Morton, and Lethington. By them, probably, she had been initiated into those hellish mysteries of iniquity. And Lethington, no doubt, was the original initiator of them all.

He had been *long* in the habit, of counterfeiting Mary's writing. He even *acknowledged* that he had, in some private conversation with the English commissioners at York *. It was HE therefore, that forged the warrant from Mary for the execution of Lord Huntly. It was HE, that forged the other warrant, for the subscription of the nobles to Bothwell's bond. HE forged the letter of June the 15th. And HE forged the letter, or the story of a letter, written from the Queen to the captain of Dunbar castle, and intercepted by the rebels. HE forged the two letters from Linlithgow and Kirk-a-field, which were suppressed by the rebels. HE forged the eight, that were actually published. HE also, we may be very sure, forged the order from Murray to *his own* keeper, for the delivery of *his own* person to Kirkaldy. And HE too, we cannot but conclude from this, forged the letters from Sutherland, that were pretended to be found in the pocket of the slain Huntly.

There were indeed others at the time, that trod in his steps, and took his downward road to fame. "Thair ar," says Mary herself on September 29, 1568, "*divers* in Scotland, baith men and women,

* Camden's Ann. Transf. 116, Orig. i. 143—144, and Crawford 105—106, 114.

“ that *can* counterfeit my hand-writing; and write
 “ the like maner of writing quhilk I use, *as weill*
 “ *as myself**.” The *woman* here alluded to, was
 Mary Bethune a made of honour to the Queen †.
 The *man* is indicated by a letter of Sir Francis
 Knollys’s to Elizabeth, dated January the 28th,
 1568-9; in which he mentions Mary to have said,
 “ she suspected that a *Frenchman*, now in *Scotland*,
 “ might be the author of some *Scotch* letters de-
 “ vised in her name ‡.” Such a continual victim
 to the villainy of forgers, does this unhappy Queen
 appear to have been, from the moment she set her
 foot upon British ground || ! But these were only
 petty forgers. And their productions were only
 the play-things of a wicked hour. They never
 could rise to the dignity of such deeds of enor-
 mity, as we see above. These required a spirit
 like Lethington for the work, a man whose rank
 entitled him to hold the office of secretary of state;
 a man whose abilities qualified him to make a con-
 spicuous figure in it; and whose soul was as daring
 in invention, as his hand was dexterous in execu-
 tion. And that master-stroke of forgery, the fa-
 brication of a set of letters, which should convict a
 QUEEN of *adultery* and *murder*; is peculiarly too high
 and bold an operation, for any but a Lethington.

* Goodall, ii. 343.

† Jebb, i. 524, and ii. 243.

‡ Robertson, ii. 394.

|| We have another fact of this nature, but not in Britain, hinted at in this passage by Mary herself, in 1586: “ that it was an easie matter, to counterfeit the cyphers and characters of others; as a young man did very lately in France, who gave himself out to be her son’s base brother” (Camden, Orig. i. 434, Transl. 355).

Accordingly

Accordingly Mary, and her embassadour the Bishop of Ross, point directly at Lethington several times, as the great and grand forger of her writing. There are several, says Mary, that can counterfeit my hand, “and *principallie sic as ar in cumpanie with thameselfis* *.”—“Thair are findrie,” says her embassadour to Elizabeth, “quha can counterfeit hir hand-writ, quha have *bene brocht up in hir cumpanie*,” Mary Bethune, &c.; “of quhom thair are *sum assistand thameselfis*, as weill of *uther natiounis*,” the Frenchman before, who here appears to have held some office in her court, “as *of Scottis*,” Lethington; “as I doubt not bot *zour majestie*, and divers utheris of zour Hienes’s court, has sene findrie letteris sent here from Scotland, quhilk wald not be kend [from those] by her awin hand writ †.” Letters addressed to Elizabeth herself as from Mary, could be forged only by her forging secretary. Neither Bethune nor the Frenchman would have presumed, to take so high a flight in forgery as that. Nor could either of them have had any purpose to serve by it, if they would. The quality of the work, betrays sufficiently the hand of her intriguing secretary. And Lesley fixes it clearly upon him, in these words of his Defence of Mary: “as though that many in Scotlande could not—counterfeit in their writinges, the Queene’s very character; and as though there were not AMONG YOURSELVES,” Murray, Morton, &c. “SOME SINGULAR ARTIFICER in this handy-craft, and

* Goodall, ii. 343.

† Ibid. 388.

“ that hath sent LETTERS ALSO IN HER VERY NAME,
“ aswel into ENGLANDE, as to OTHER PLACES BY-
“ SYDES, without either her commaundement or
“ knowledge *.” Such a wide and ample range in
forgery, did Lethington give himself. He forged
the Queen’s hand-writing, to papers at home. He
forged it, for letters to the court of England. He
forged it, for letters to the courts on the conti-
nent. And he therefore appears the boldest and the
mightiest forger, I believe, that the world has ever
beheld.

But it is peculiarly observable at present, that HE
wrote the very letters to Elizabeth, which Elizabeth
made use of for collating the celebrated eight. Eli-
zabeth had received several letters, as from Mary ;
which appeared afterwards, and from her reply to
Elizabeth’s answers probably, to have been mere
forgeries. HE was the person who forged the let-
ters. HE was also the man, who forged the eight.
HE therefore was the suggester to Elizabeth, of
taking the forgeries which had been formerly sent
to her, and of collating the eight with them. And
HE thus put her upon comparing *his own* forgeries
addressed to *her*, with *his own* forgeries addressed to
Bothwell ; and so repeating again the astonishing
juggle of the commissioners before, who collated
the letters produced by Murray, with letters ex-
hibited by Murray ; all, all of them, equally the
manufacture of Lethington himself.

In such a red glare of iniquity, does this wretched

* Anderson, i. Defence, 20.

man stand before us at present; the first of human forgers! Yet he had none of that wild and turbulent selfishness about him, which formed a Murray and which made a Morton. He had none of that resolute malignity in his spirit, which is kindled by opposition, is inflamed by success, and turns the human brother into a brother of the deep. He wanted however that rectitude of principle, which fixes a man perpetually in the presence of God; which tells him, the broad eye of Heaven is continually open upon him; which exhibits to his mind the Present Witness, the Future Judge, and the Eternal Avenger; and, therefore, keeps him habitually and uniformly honest. He had also an activity of genius, that loved to be busy in intrigues; a facility of disposition, that rendered him servile to the influence of those profligates, with whom he was accidentally cotemporary; and a vanity of soul, that kept him pleased with the importance of his own talents to them, and with the happiness of his own exertions in their favour. All united to make him a mere tool; finely tempered indeed, elegant, sharp, and bright; yet still a mere tool, in the hands of Murray and Morton. For them, he let his pen expatiate so freely in forgeries. They were in one continued train of conspiracies and rebellions against Mary, from the beginning to the end of her royal residence in Scotland. They attached Lethington to them, by taking advantage of his want of principle; by impelling his facility of disposition into an union of counsels with them; and by soliciting his vanity, into an execution of

their worst measures for them. He became their speaker, their writer, and their forger. He went on advising and acting with them, publickly producing his own forged letters at York for Mary's; publickly declaring his readiness, to swear them to be Mary's writing; and yet telling the English commissioners privately at the time, that *he himself* had *often* forged her writing. He went on, caballing with the Duke of Norfolk against Murray and Morton, and endeavouring to prevent their production of the letters *: yet uniting with them, to produce the letters at York and at Westminster; uniting with them to exhibit some other forgeries of his own, for the collation of those with them; and even at last suggesting to Elizabeth, a similar collation of them with some older forgeries of his own. He also went on, all the while caballing with Mary, betraying and blasting the very measures which he was pursuing against her, and being therefore seized and imprisoned by Murray. He escaped by forgery, and declared openly for Mary. He was taken by Morton. And he was poisoned hastily by him: lest he should openly and judicially tell, what he had plainly hinted at York; what he had more than hinted to Kirkaldy, and others, in Scotland; and what is now apparent to all; his own fabrication of the famous letters †.

Such

* Melvill, 94, &c. and Camden, Transf. 112—113, and Orig. i. 139—140.

† Mary, in a letter to Elizabeth November the 28th 1582, says thus to her: “ My rebels perceiving, that their headlong
“ course

Such an astonishing character was Lethington, at once the honour and the disgrace of Scotland ; with a spirit honest, mild, and friendly, a forger ; a forger of the first magnitude in villainy ; and a forger, with every accumulation of a fiend's malignity on his head ! Such a long list of dreadful facts does the history of his life afford us, as a comment upon his own ingenuous confession at York ! He had *then* indeed "MANY TIMES counterfeited the Queen's hand." He had run a long career of forgery, in the service of Morton and Murray ; *before* he compleated all, in the fabrication of the celebrated letters for them. And it was only by slow degrees, that he became for them the father of a train of political forgeries, that have no parallel for their audacity and their success, in all the records of the shame of man.

Such, such were the persons, that presumed to call themselves Reformers, to tax the wickedness of Popery, and to be zealous for the purity of religion ! That great ferment indeed, which was sure to be excited in the body politick of Christendom, by the necessary efforts for reformation ; naturally threw out to the surface, a violent eruption of morbid matter on every side. But FORGERY appears to

"course was carrying them much farther than they had thought
 "before, and *the truth being evidenced concerning the calumnies,*
 "which had been propagated of me at the conference — ;
 "there were *the principals*, for having come to repentance,
 "besieged by your forces in the castle of Edinbourg, and *one*
 "of the first among them poisoned," Lethington, "and the other
 "most cruelly hanged," Grange (Appendix, N^o xvii).

have been the peculiar disease of Protestantism. Originally coming forth as a kind of leprosy, upon the brow of Presbyterianism in Scotland; it was conveyed by the intercourses of vice, to the profligate head of the church of England. In both, it concurred with the rebellious turbulence, and the sacrilegious violence, of the Reformed; to stop the nations of Europe, that were springing forward from the idolatries of Popery, into the pure worship of Protestantism; to make them run back, with a too hasty horror, at the frightful face of Reformation before them; and to prefer even Popery with all its idolatries, to Protestantism with those enormities accompanying it. And the crimes of such wretches, as Lethington, Morton, Murray, and Elizabeth, served unhappily to check the progress, of that greatest of all illuminations to man, next to the first propagation of the Gospel; kept many of the states about us, from coming forward to the glorious light of it; and actually abridged it, of half its extensive utility to the world.

CHAPTER THE SECOND.

LOVE-SONNETS (1).

SECTION I.

“ O Dieux, ayez de moy compassion,
“ Et m’enseigniez quelle preuve certaine
“ Je puis donner, qui ne luy semble vaine,
“ De mon amour et ferme (2) affection.

“ Las n’est-il pas ja en possession
“ Du corps (3), du cœur, qui ne refuse peine,
“ Ny deshonneur en la vie incertaine,
“ Offence de parens, ne pire affliction ?

“ Pour luy tous mes amis j’estime moins que rien,
“ Et de mes ennemis je veux esperer bien.

“ J’ay hazardé pour luy et nom et conscience ;
“ Je veux pour luy au monde renoncer ;
“ Je veux mourir pour le faire avancer :
“ Que reste plus (4) pour prouver ma constance ?”

" O Goddis, have of me compassion,
 " And schaw quhat certane prufe
 " I may give, quhilk fall not seme to him vane,
 " Of my lufe and fervent (2) affection.

" Helas ! is he not alreddy in possessioun
 " Of my body (3), of hart, that refusis na pane,
 " Nor dishonour in the lyfe uncertane,
 " Offence of freindis, nor worse affliction ?

" For him I esteeme all my freindis less than na-
 " thing,
 " And I will have gude hope of myne enemies.

" I have put in hafard for him baith fame and
 " conscience :
 " I will for his saik renounce the warld,
 " I will die to set him fordwart :
 " Quhat remanis (4) to gif prufe of my constancie ?"

SECTION II.

" Entre ses mains, et en son plein pouvoir,
 " Je mets mon fils (5), mon honneur, et ma vie,
 " Mon païs, mes subjets ; mon ame assubjettie
 " Est toute a luy, et n'ay autre vouloir

" Pour mon objet, que sans le decevoir
 " Suivre je veux, malgré toute l'envie
 " Qu'issir en peut. Car je n'ay autre envie,
 " Que de ma foy luy faire appercevoir :

" Que

“ Que pour tempeste, ou bonasse, qu’il face,
“ Jamais ne veut changer demeure ou place.

“ Bref, je feray de ma foy telle preuve,
“ Qu’il cognoistra, sans faute, ma constance;
“ Non par mes pleurs, ou feinte obeïssance,
“ Comme autres font, mais par diverse espreuve
“ (6).”

“ In his handis, and in his full power,
“ I put my sone (5), my honour, and my lyfe,
“ My countrie, my subjectis, my faule, all subdewit
“ To him, and hes nane uther will

“ For my scope, quhilk without diffait
“ I will follow, in spite of all invy
“ That may ensue; for I have na uther desyre
“ Bot to mak him persaif my faithfulness.

“ For storme of [or] fair wedder that may cum,
“ Never will it change dwelling or place.

“ Schortly, I fall give of my treuth sic prufe,
“ That he fall knaw my constancie without fictioun,
“ Not be my weiping, or fenzeit obedience,
“ As uther have done, bot be uther experience (6).”

(1) When these sonnets pretend to be written,
has not yet been determined. The rebels them-
selves, who should be the best judges, seem to have
designed

designed them for a time *antecedent* to the letters; having prefixed them to all, when they exhibited both at Westminster. “The tenors of all which
“seven wrytings,” say the commissioners of England, “hereafter follow in order, the FIRST being
“in manner of a sonnet,

“O Dieux, ayez de moy, &c *.”

Accordingly, they are equally prefixed to the letters in the first Scotch publication of them, and with this common title to both, “the wrytingis and
“letteris found in ye said casket, quhilk ar avowit
“to be written with ye Quene of Scottis awin
“hand.” They have also this special title to themselves: “certane Frenche sonettis writtin be
“ye Quene of Scottis to Bothwel befoir hir marriage with him, and (as it is said) quhile hir husband levit, bot certanely befoir his divorce from
“his wyfe, as the wordis thameselfis schaw, befoir
“quhome scho heir preferris hirself, in deserving to
“be belovit of Bothwell †.” But Lord Hailes and Dr. Stuart think, that they appear from their internal evidence, to be calculated for the period between the seizure of Mary and her marriage ‡. And I shall endeavour to ascertain the intended chronology of them, and then to make it convict them clearly of forgery.

But who was the author of the forgery? I have pretty clearly proved before, that Lethington drew up the letters. Yet Lethington was not capable of

* Appendix, N^o viii.
i. 395.

† Anderson, ii. 115.

‡ Stuart,

drawing up the sonnets. *Those* were written originally in Scotch, and *these* in French. And even if Lethington was qualified for writing in French, of which I find not the least appearance; he was certainly, from all that appears, not qualified to write *poetry* in French. This indeed required talents, of a very different nature from Lethington's. Nor do I know of one man among the usurpers, who was qualified for poetical composition, and was also capable of undertaking it in the French language; except only the redoubtable BUCHANAN. This therefore reduces the whole enquiry to a short point. And Buchanan must stand the reputed father of this poetical bantling, that has been laid so long at the door of Mary. Nor is this all the evidence, which can be brought in favour of the filiation. Buchanan's own manner of speaking concerning the sonnets, serves remarkably to corroborate our conclusion. In his history, he mentions the sonnets and the letters together. He notices the letters first. But he praises them not. He says only, that they were written by Mary. They are "literæ, "Reginæ manu Gallico fermone conscriptæ, ad "Bothuelium." He did not chuse to compliment Lethington, against whom he wrote a printed libel so early as 1570. Then he immediately notices the sonnets. But he passes not over *them* in so cursory a manner. *He stops to praise them.* He marks the *elegancy* of them. They are "carmen—" "Gallicum, ab eâdem NON IN-ELEGANTER factum *." The natural partialities of self-love,

* Hist. xix. 374.

solicited this transient eulogium from him. He, who would not compliment the letters as Lethington's, could not but compliment the sonnets as his own. He who praises not Mary for any thing, he who is eager to abuse her upon every occasion, and who is actually abusing her at the very moment, for his own and for Lethington's forgeries; even he suspends his dashing pen at once, and praises her for the elegance of some verses,—which he had written for her. And the father betrays his relation to the bantling, by the visible yearning of his affections towards it.

(2) “Ferme,” French; “fervent,” Scotch. In Buchanan *, “*m’enseignez*” is strangely “*ni enseignez*.”

(3) This shows the sexual intercourse to have begun, before these sonnets pretend to be written.

(4) “Plus,” French, or (as in Buchanan’s edition) “il plus †” though so important to the sense, is omitted in the Scotch translation.

(5) This implies the King to be dead, and so dates the sonnets below the 10th of February 1567. —“Plain” in Goodall is a mis-print for “plein,” as in Buchanan ‡; though “plein” was then written “plain” at times ||.

(6) “Sont,” French; “have done,” Scotch. In Buchanan’s Scotch edition, the French is more properly in itself, and more agreeably to the Scotch, “ont fait.” So “faute” just before is “fainte” in Buchanan, and is answered by “fictioun” in Scotch.

* Anderson, ii. 115.
|| Murdin, 559.

† ii. 115.

‡ ii. 115.

And the words “comme autres font,” or “ont fait,” show Lady Bothwell to be supposed practising her arts, either then or before, in order to draw Bothwell back to her from Mary.—“Diverse espreuve,” French; “uther experience,” Scotch, for *other proof*.

S E C T I O N III.

“Elle, pour son honneur, vous doit obeïssance :
 “Moy vous obeïssant, j’en puis recevoir blasme,
 “N’estant, a mon regret, comme elle, vostre femme
 “(1);
 “Et si n’aura pourtant en ce point préminence.

“Pour son proufit elle use de constance,
 “Car ce n’est peu d’honneur d’estre de vos biens
 “dame (2):
 “Et moy, pour vous aimer, j’en puis recevoir
 “blasme,
 “Et ne luy veux ceder en toute l’observance (3).

“Elle de vostre mal n’a l’apprehension ;
 “Moy je n’ay nul repos, tant je crain l’appa-
 “rence (4).
 “Par l’advis des parens elle eust votre accointance ;
 “Moy, malgré tous les miens (5), vous porte af-
 “fection.

“[Et neantmoins, mon cœur, vous doutez de
 “ma constance (6),]
 “Et de sa loyauté prenez ferme assurance.”

" Scho for hir honour awis zow obedience :
 " I in obeying zow may reffaif dishonour,
 " Not being (to my displeasure) zour wyfe, as
 " scho (1) ;
 " And zit in this point scho fall have na prehemi-
 " nence.

" Scho usis constancie for hir awin profite,
 " For it is na lytill honour to be maistres of zour
 " gudis (2) :
 " And I for luifing zow may reffaif blame,
 " And will not be overcum be hir in loyall ob-
 " servance (3).

" Scho hes na apprehensioun of zour evill ;
 " I feir fa all appeiring evill (4), that I can have
 " na rest.
 " Scho had zour acquaintance be consent of hir
 " freindis ;
 " I, aganis all thair (5) will, have borne zow af-
 " fectioun.

" And not the les, my hart, ze dout of my con-
 " stance (6),
 " And of hir faithfulness ze have firme assurance."

(1) This shows Mary not to be yet married to Bothwell, and even Lady Bothwell not to be yet divorced from him.

(2) This shows the vulgarity of soul, affected by the forger of the sonnets. The same appears in the

the letters. In both, the dignified Queen is totally lost in the "Maid Marian" of her pretended imitators. Burlesque itself could not go beyond the present absurdity, of making a Queen to speak of the no little honour accruing, from being mistress of Bothwell's goods. It is realizing the dreams of republicanism at once. It is creating

A court of cobblers, and a mob of kings.

(3) The third line in this stanza concurs with the three in the preceding one, to show the divorce not yet made, and the marriage not yet solemnized.—
"Toute," French; "loyall," Scotch.

(4) How loose is the Scotch, compared with the French! But both show the sonnets to be pretendedly written, at some "appearance" of evil to Bothwell particularly.

(5) "Tous les miens," French; "thair," Scotch.

(6) I have added this line, which is lost in the original. The terms of the Scotch point out the words of the French.

SECTION IV.

"Par vous, mon cœur, et par vostre alliance,
 "Elle a remis sa maison en honneur (1);
 "Elle a jouï par vous de la grandeur,
 "Dont tous les fiens n'avoient nulle assurance.

"De

“ De vous, mon bien, elle a eu la constance (2),
 “ Et a gagné pour un temps (3) vostre cœur;
 “ Par vous elle a eu plaisir en bon heur (4),
 “ Et pour vous a honneur et reverence (5);

“ Et n’a perdu, sinon la jouïssance
 “ D’un fascheux sot, qu’elle avoit cherement (6).
 “ Je ne la plain d’aimer donc ardemment (7)
 “ Celuy, qui n’a en sens, ny en vaillance,

“ Ny en beauté, en bonté (8), ny constance,
 “ Point de second. Je vy en ceste foy.”

“ Be zow, my hart, and be zour alliance,
 “ Scho hes restoirit hir hous unto honour (1);
 “ Be zow scho is becum to that greitnes,
 “ Of quhilk hir freindis had never assurance.

“ Of zow, my welth, scho gat the acquaintance
 “ (2),
 “ And hes conquiest the same tyme (3) zour heart;
 “ Be zow scho hes plesure and gude lucke (4),
 “ And be zow hes reffavit honour and reverence
 “ (5);

“ And hes not lost, bot the rejoyfance
 “ Of ane unplefand fule, quhilk scho luifit deirly
 “ (6).

“ Then I moane hir not to lufe ardently (7)
 “ Him, that has nane in wit, in manheid,

“ In bewtie, in bountie, in treuth (8), nor in
 “ constancie,
 “ Ony second : I leif in the beleif.”

(1) This alludes to the restoration of Huntly, by the reverfal of his attainder, on April 19th, 1567 ; and so dates the sonnets below that period.

(2) “ Constance,” French ; “ acquaintance,” Scotch. This is very strange. But it is only occasioned by a mis-print, of “ la constance” for “ l’acointance.” The sense shows this to be the case.

(3) “ Pour un temps,” French, *for a time* ; “ the same tyme,” Scotch. So in viii. she is made to say, that her own love shall *at last*, “ en fin,” appear to Bothwell.

(4) “ Elle a eu plaisir en bon heur,” French, *has had pleasure in a fortunate hour* ; “ hes plesure and gude lucke, Scotch.

(5) “ Et pour vous a honneur et reverence,” French, *for you has honour and reverence* ; “ be zow bes reffavit honour and reverence,” Scotch. The translation has exchanged the two verbs in the two lines, by transferring the one to the other. But Mr. Goodall’s edition has omitted a word, which is in Buchanan’s, and which is also again in the Scotch, “ et pour vous a receu honneur et reverence.”

(6) Who was this “ unplefant,” or, as he ought to be called, this *vexatious*, fool, that Lady Both-

well loved so dearly, before she married Bothwell?
 “Avoitcherement” is plainly a mis-print for “aimoit
 “cherement.” It is accordingly “aymoit” in Bu-
 chanan. And “rejoyfance” is a strange word for
 enjoyment, though near to it, and still nearer to
 “jouïffance.”

(7) The meaning is, that she does not com-
 plain *therefore*, of Lady Bothwell loving ardently
 a man, who &c. But the Scotch runs in this dark
 and unmeaning strain; “then I moane hir not to
 “lufe ardently,” &c.

(8) Here we have “en bonté,” French, which
 signifies *in good-nature*, rendered “in bountie, in
 “treuth,” Scotch.

SECTION V.

“Quant (1) vous l’aimiez, elle ufoit de froideur,
 “Si (2) vous souffriez pour s’amour passion,
 “Qui vient d’aimer de trop d’affection (3):
 “Son doight (4) monstroït la tristesse du cœur.

“N’ayant plaisir en vostre grand ardeur (5),
 “En ses habits (6) monstroït sans fiction,
 “Qu’ elle n’avoit paour, qu’ imperfection
 “Peust l’effacer hors de ce loyal cœur.

“De vostre mort je ne vis la peur,
 “Que meritoit tel mary et seigneur.

“Somme,

“Somme, de vous elle a eu tout son bien (7);
 “Et n’a prisé, n’y jamais estimé,
 “Une si grand heur, sinon puis qu’il n’est sien (8);
 “Et maintenant dit l’avoir tant aimé.”

“Quhen (1) ze luifit hir, scho usit cauldnes,
 “Gif (2) ze sufferit for hir lufe passioun,
 “That cummis to greit affectioun of lufe (3):
 “Hir sadnes (4) schew the tristesse of hir hart.

“Taking na plesure of zour vehement burn-
 “ing (5),
 “In hir cloithing (6) scho schew unfeizitly,
 “That scho had na feir, that imperfectioun
 “Culd deface hir out of that trew hart.

“I did not fé in hir the feir of zour deith,
 “That was worthy of sic husband and lord.

“Schortly, scho hes of zow all hir welth (7);
 “And hes never weyit nor esteemit
 “One sa greit hap, bot sen it was not hers (8);
 “And now scho sayis that scho luifis him sa weill.”

(1) “Quant,” French, then so written for
 “Quand.” See Paris’s 2d confession *.

(2) “Si,” French, signifying *yet*, rendered, ac-
 cording to its Latin meaning, “gif,” Scotch.

* Goodall, ii. 80, 83, &c.

(3) “Qui vient d’aimer,” French, words that mean passion which comes *from* great affection, are rendered “that cummis *to* greit affectioun,” Scotch.

(4) “Doight,” or (as in Buchanan) “doig,” French, is a mis-print for “doute,” I suppose. The Scotch translates it “fadnes,” and so makes “hir
“fadnes schew the tristesse of hir hart.”

(5) “Grand ardeur,” French; “vehement burning,” Scotch.

(6) This is a very extraordinary proof, of the ignorance and inattentiveness of the Scotch translator. The sonnet-writer says, that Lady Jane Gordon, taking no pleasure in the great ardour of Bothwell for her, did by her *habits*, or modes of behaviour, show she was not afraid of losing him. “Habit” then meant, no doubt, what it still means in English, and what the French now expresses by *habitude*. Yet the Scotch translator renders it “clothing,” and makes her “clothing” show how little she was afraid of losing him.

(7) “Elle a eu,” French, has had; “hes,” Scotch.

(8) This, and what follows, shows an interval of time to have come in, betwixt the pretended commencement of Mary’s love for Bothwell, and the pretended date of the sonnets; and Lady Bothwell to have pretendedly written him some fine letters in the interval, in order to draw him off from Mary.

SECTION

SECTION VI.

“ Et maintenant elle commence a voir,
 “ Qu’elle estoit bien de mauvais jugement,
 “ De n’estimer l’amour d’un tel amant (1);
 “ Et voudroit bien mon amy decevoir

“ Par les escrits tous fardez de scavoir (2),
 “ Qui pourtant n’est en son esprit croissant,
 “ Ains emprunté de quelque auteur luifant (3),
 “ A faint tres-bien un envoy fans l’avoir (4).

“ Et toutesfois ses paroles fardées,
 “ Ses pleurs, ses plaincts, remplis de fictions,
 “ Et ses hautz cris, et lamentations,
 “ On tant gaigné, que par vous font gardées

“ Ses lettres escrites; ausquels vous donnez foy,
 “ Et si l’aimez, et croiez plus que moy (5).”

“ And now scho beginnis to sé,
 “ That scho was of verray evill judgement,
 “ Not to esteeme the lufe of sic ane luifer (1);
 “ And wald fane dissaif my lufe

“ Be wrytingis and paintit leirning (2),
 “ Quhilk not the les did not breid in hir brane,
 “ Bot borrowit from fum feat author (3),
 “ To fenzé ane sturt, and have nane (4).

“ And for all that hir paintit wordis,
 “ Hir teiris, hir plaincts, full of diffimulatioun,
 “ And hir hie cryis and lamentatiounis,
 “ Hes won that point, that ze keip in store

“ Her letters and wrytingis; to quhilk ze gif
 “ traist,
 “ Zea, and luifis and belevis hir mair then me (5).”

(1) “ De n'estimer,” French; “ to esteeme,” Scotch. I have restored the lost negative. It is in Buchanan *.

(2) “ Par les escrits tous fardez de scavoir,” French, by letters all painted over with learning; “ by wrytingis and paintit leirning,” Scotch.

(3) “ Luifant,” French; “ feat,” Scotch.

(4) Lady Bothwell is said to borrow her letters from books, and so, by an excellent feint, send a dispatch without writing one. This is obviously the meaning. But the French, equally in Goodall and in Buchanan, is mis-printed, I apprehend. And it should run thus, I suppose, “ envoy” being then used as now in English; “ a *faindre* tres-bien un “ envoy fans l'avoir.” And the Scotch is strangely disfigured, “ to fenzé ane sturt, and have nane.” “ Sturt,” says Anderson †, signifies a disturbance or trouble. Yet what a parody of meaning does the whole make? Lady Bothwell, by transcribing

* ii. 118.

† i. 171.

her letters from books, feigns a disturbance or trouble, and has none. This indeed is such a wild and excentrick unmeaningness of words, so wildly devious from the French, and so excentrically stupid in itself; that this single passage should have convinced the friends of Mary effectually, of the Scotch being a translation in the sonnets, though it is the original in the letters. And I cannot but observe in deference to truth: that the friends of Mary in this point, have shewn nearly as much of *the obstinacy of folly*, concerning the sonnets; as the enemies of Mary have done, concerning the letters. The Scotchman plainly read “a faint” as I have corrected it, “a faindre;” and therefore rendered it “to fenzé.” He then read “envie,” I suppose, for “envoy.” And he strangely translates it “sturt.”

(5) All this shows the sonnets not to pretend to be written, during the confinement of Mary in Dunbar and Edinborough castles. She *could* not mistrust Bothwell, even if she had had any regard for him, while he was taking such violent measures to gain her.—“Lettres escrites,” French; “letters” “*and* wrytingis,” Scotch; when the only writings were letters.

SECTION VII.

“ Vous la croyez, las ! trop je l’appercoy,
“ Et vous doutez de ma ferme constance,
“ O mon seul bien, et ma seule esperance,
“ Et ne vous puis affermer de ma foy.

“ Vous m’estimez legiere, qui je voy,
“ Et si n’avez en moy nulle afferance,
“ Et soupconnez mon cœur sans apparence (1),
“ Vous meffiant a trop grand tort de moy.

“ Vous ignorez l’amour que je vous porte,
“ Vous soupconnez qu’ autre amour me transf-
“ porte (2).

“ Vous estimez des paroles du vent,
“ Vous despeignez de cire mon las (3) cœur,
“ Vous me pensez femme sans jugement ;
“ Et tout cela augmente mon ardeur.”

“ Zow beleif hir, helas ! I perfaif it tó weill,
“ And callis in dout my firme constancie,
“ O myne only welth, and my only hope,
“ And I cannot assure zow of my treuth.

“ I se

" I ſe that ze eſteme me licht,
 " And be na way affurit of me,
 " And dois ſuſpect (my hart) without ony appeir-
 " ing caus (1),
 " Diſcrediting me wrangouſly,

" Ze do not knaw the luſe I beir to zow,
 " Ze ſuſpect that uther luſe transportis me (2).

" Ze think my wordis be bot wind,
 " Ze paint my verray (3) hart as it were of waxe,
 " Ze imagine me ane woman without judgement;
 " And all that increſſis my burning."

(1) The Scotch has turned "*mon cœur*" into an addreſs, and ſo left the ſuſpicion without an object.

(2) What other love could even the madneſs of ſlander ſuggeſt Mary to have had?

(3) "*Mon las cœur*," French, my *weary* heart; "my verray hart," Scotch; probably, as *very* is ſtill pronounced *wery* in the north of England, by the pronounciation of that period for *werray*. So we have "*worry obſcuyrly*" for *very* obſcurely, "*werray ſtrangely*" for *very* ſtrangely, and "*werray tymus*" for *very* early, in the rebel journal *. We have alſo a letter from Robert Melvill, in 1560, "to my *werray* gud Ladé Cecil †." And, what comes directly to the point, we have "*vater*"

* Anderſon, ii. 271, 272, and 274.

† Haynes, 363.

for *water*, in a letter of Knox's to Cecil *; "the
 " *comone veill*" for the common *weal*, in one of
 Lord Boyd's †; and "Nicolas *Vilkeson*" for Ni-
 cholas *Wilkinson*, in a letter of Bishop Lesley's to
 Elizabeth ‡.

SECTION VIII.

" Mon amour croist, et plus en plus croistra,
 " Tant que vivray; et tiendray a grand heur,
 " Tant seulement d'avoir part en ce cœur (1);
 " Vers qui enfin mon amour paroistra

" Si tres-clair, que jamais n'en douterà.
 " [Pour luy je veux tacher contre malheur] (2),
 " Pour luy je veux rechercher la grandeur (3);
 " Et feray tant, que de vray congnoistra (4),

" Que je n'ay bien, heur, ne contentement,
 " Qu'a l'obeyir et servir loyaument,

" Pour luy j'attendz toute bonne fortune (5),
 " Pour luy je veux garder santé et vie,
 " Pour luy tout vertu de suivre j'ay envie (6),
 " Et sans changer me trouvera tout' une."

* Haynes, 372. † Ibid, 506. ‡ Murdin, 39. See
 also 568 for "*wryte*" to *write*, "*veil-villars*" for *well-willers*,
 " *varly*" for *warily*, " *var*" for *were*, and " *vay*" for *way*.
 See also 569, 571, 573, and 577, and N° xvii. Appendix.

“ My lufe increffis, and mair and mair will incre,
 “ Sa lang as I leif; and I fall hald for ane greit
 “ felicitie,

“ To have only part in that hart (1);

“ To the quhilk at lenth my lufe fall appeir

“ Sa cleirly, that he fall never dout.

“ For him I will ftrive aganis wan-weird (2),

“ For him I will recerfe greitnes (3);

“ And fall do fa mekle, that he fall knaw (4),

“ That I have na welth, hap, nor contentatioun,

“ Bot to obey and ferve him trewly.

“ For him I attend all gude fortune (5),

“ For him I will conferve helth and lyfe,

“ For him I defyre to enfew courage (6),

“ And he fall ever find me unchangeabill.”

(1) How strongly does this contradict the letters! In the 3d particularly ſhe ſays, that ſhe is anxious in
 “ ony thing—yat may preſerve and keip zow un-
 “ to hir, *to quhome only ze appertene*; gif it be ſa,
 “ that I may *appropriate* that quhilk is wyn.” Yet
 here ſhe avows, that ſhe will be content with a
ſhare in his affections. So oppoſite are the letters
 and the ſonnets! When Darnly was yet alive, and
 the marriage with Bothwell was therefore at ſome
 diſtance, ſhe demanded the *whole* of his regards.
 But when Bothwell had now ſeized her, in order
 to marry her; and the hour of marriage was
 haſtening

hastening as rapidly on the wing, as even the impatience of a youthful fancy could wish; even then, she declares herself content to *divide* his regards with Lady Bothwell. So retrograde is her love!—In the Scotch, “fa lang as I leif,” is in Buchanan more properly “fa lang as I *fall* leif.”

(2) I have again inserted a lost line in the original.

(3) In the first sonnet, Mary is made to resign up the world for Bothwell; “Je veux pour luy au monde renoncer.” But here she “recerfes,” as the Scotch calls it from the French, or she seeks for “greitnefs:” “Pour luy je veux rechercher la grandeur.” So inconsistent are even the very sonnets one with another!

(4) “De vray,” French; omitted in the Scotch.

(5) “To attend all gude fortune,” is a French, and not a Scotch phrase; as has been justly remarked by Dr. Robertson*.

(6) “Tout vertu de suivre,” French; “to enfew courage,” Scotch. How little did the Scotchman know of the French! Even as little almost, as the Frenchman knew of the Scotch in the letters. And what is very remarkable, and coincides with a slight observation before, he interpreted the French “vertu” in the Roman sense of *virtus*.

• Diff. 34.

SECTION

SECTION IX.

“ Pour luy auffi j’ay jetté mainte larme,
“ Premier qu’il fust de ce corps possesseur,
“ Duquel alors il n’avoit pas de cœur (1);
“ Puis me donna un autre dur’alarme,

“ Quand il versa de son sang mainte dragme (2);
“ Dont de grief me vint laisser douleur,
“ Qui m’en pensa oster la vie (3), et frayeur
“ De perdre las ! le seul rampart qui m’arme.

“ Pour luy depuis (4) j’ay meprisé l’honneur,
“ Ce qui nous peult seul pourvoir de bonheur.

“ Pour luy j’ay hazardé grandeur et conscience,
“ Pour luy tous mes parens j’ay quitté et amis (5),
“ Et tous autres respectz font a part mis ;
“ Brief, de vous seul je cherche l’alliance (6).”

“ For him also I powrit out mony teiris,
“ First quhen he made himself possessor of this body,
“ Of the quhilk then he had not the hart (1);
“ Efter he did give me ane uther hard charge,

“ Quhen he bled of his blude greit quantitie (2);
“ Throw the greit sorow of the quhilk come to me
“ that dolour,

“ That almaiſt caryit away my lyfe (3), and ye feir
“ To tyne the only ſtrenth that armit me.

“ For

“ For him sen (4) I have despisit honour;
 “ The thing only that brings felicitie.

“ For him I have hazarded greitnes and con-
 “ science,
 “ For him I have forsakin all kin and freindis (5),
 “ And set asyde all uther respectis ;
 “ Schortly, I seik the aliance of zow only (6).”

(1) “ Il fust” is in Buchanan more properly “ il
 “ se fist,” French ; and is answered by “ he made
 “ himself,” Scotch. But this whole passage is of
 singular consequence. It shows, that Mary’s pre-
 tended regard for Bothwell, is made to commence
 AFTER the adulterous act with her ; and that this
 adulterous act is allowed to have been a RAPE.
 She poured out many a tear, she says, when he
 made himself possessour of her body, at a time when
 he had not obtained her heart. The words are
 very clear. They are also very expressive. The
 rebels themselves acknowledge here, that Bothwell
 committed a RAPE upon Mary. This is a very ma-
 terial fact in the history of her life. By this, and
 by this alone, can she be vindicated. And this will
 vindicate her amply. Yet modern history has past
 over this incident, “ smooth-sliding without step * ;”
 or, where she has rested upon it, she has considered
 it purely as a seduction †. *That* is unpardonably
 faulty. And *this* is culpably indistinct. A seduction,

* In Dr. Robertson.

† In Dr. Stuart.

and a rape, are very different in themselves and in their consequences. The one implies, the other precludes, a concurrence of the will in Mary. The one still leaves her criminal; though in a lesser degree, than if she had come a votary to voluptuousness in the hour of freedom. But the other absolves her from all guilt whatever. To the imprisonment of her person, it adds violence to her modesty. It debars all consent. It's very essence lies in force. And all the censure for the deed rests entirely upon the head of Bothwell. In this light do the very rebels here exhibit her. He had taken a brutal possession of her body. But her heart was all averse to him. And she shed many a tear at her dreadful situation.

This therefore OVERTHROWS ALL THE LETTERS, and THE TWO CONTRACTS, at once. No such intercourse, as is there intimated, *could* have subsisted at the time, these contracts and those letters pretend to be written. This is even acknowledged by the rebels themselves, in the present passage. At the King's sickness in Glasgow, and at the Queen's journey to Stirling, no sexual intercourse had taken place between Bothwell and her at all. It first took place in an act of ravishment, during the confinement of her person by Bothwell, in the end of April and beginning of May afterwards. And the Queen wept and lamented over the degradation, into which she was reduced by the high enormity of her seizure, by the much higher of the rape upon her, and by the total helplessness of her situation under both. Indeed he must have
I
a heart,

a heart, steeled by party or by insensibility to all the best feelings of our nature; who does not sigh over a woman and a Queen, beautiful, elegant, and refined, so imprisoned, so un-friended, and so treated *.

Nor was it the smallest part of her misery, that the main point of it was of such a peculiar nature, as she could not well reveal. She was even obliged to marry the ravisher, because he had been a ravisher. She had *then* a double reason, for not revealing it. It concerned the fortune, and even the life, of her husband; to throw a shade over it. Yet, in addition to all, she was openly accused of a long intercourse of antecedent *adultery*, with the *ravisher*; of *murdering* Darnly, in order to secure the *after-ravisher* to herself; and, still more contradictorily, of having concerted a plan with him for her own seizure, for her own *ravishment*, and for her own marriage: as if she could not have married him, without either the seizure or the rape preceding. And, under this senseless accusation, has the memory of that peculiarly unfortunate woman been now labouring, for two hundred years; even though *the very papers*, alledged in *proof* of her *guilt*, did here *acquit* her *compleatly* of all.

I wish only to add one remark, concerning the Queen's crying. She is said to have shed "many

* Accordingly Buchanan, in his bold way of *creating* a world of history out of old materials, mentions this fact, but at another and much earlier period; and says, that Bothwell "*forcit* "*hir aganis hir will forsuith*," p. 8, Anderson, ii, "*eam in-* "*vitam vi compressit*," Jebb, i. 239.

"a tear."

“a tear.” This is quite in character. She had that hysterical propensity to crying, in the hour of anguish; which the delicacy of the female organization often gives to women, and which is generally their best relief from their feelings. “At St. Johnston’s,” says Randolph in a letter of September the 24th, 1561, “she was well received,” in her first progress through the kingdom; “and presented “with a heart of gold full of gold, I know not to “what value: she liked nothing the [Protestant] “pageants there; they did too plainly condemn the “errors of the [Popish] world: as she rode in the “street, she fell sick, and was born from her horse “into her lodgings, not being far off; *with such “sudden passions, as I hear she is often troubled with, “after any great unkindness or grief of mind* *.” Accordingly we see her in Le Croc’s letter from Stirling, December 23, 1566, “laid on the bed; “*weeping sore*” for her husband’s strange behaviour, at the baptism of their son †. And here we see again another touch, of this hitherto unnoticed part of her character.

But, to lend a fullness and a roundness to this stroke of the pencil, I must add; that the anguish of mind, which relieved her by discharging itself at her eyes, had a previous tendency to throw her into fits of fainting. So, in Randolph’s letter preceding, “as she rode in the street, *she fell sick*, and “*was born from her horse into her lodgings*.” She was also affected in the same manner, when she

* Keith, 190.

† Ibid. Pref. vii.

went over to the rebels at Carbarrie Hill, and when those fiends *first* peeped out from behind the visors of the faints. Seeing the infamous standard, which appears to have been the grand ensign of rebellious war to them *, with a peculiar affrontiveness carried always before her; she, as Buchanan tells us, “*animo linguente, ægré ne ex equo eaderet, sustentata fuit †.*” Yet she was even affected in this manner, at an earlier period of her life, and when her health appears to have been very tender and delicate, by oppressions merely bodily and stomachick. So in France, says Throgmorton on June 21st, 1559, “the Quene Dolphin being the *sayde daye at chirche,*” that of Nostre Dame in Paris, “was very yvil at ease; and, *to kepe her from sounding* [swooning], [they] were fayne to *bring her wyne from the alter ‡.*” On the 25th of August in the same year he adds likewise, as from the Spanish embassadour; that “after diner *he,*” the embassadour, “was in the cumpeny of the French King and the French Queen; which Queen, he said, *loked very evil,* and was *so weake,* as, even before all the presence that was there, *she fell on sounding* [swooning], and was in very *dangerous case,* as *she is always after meale;* when *she was with aqua composita revived,* and *retired ¶.*” But upon the 20th of September following he writes thus. “The French Queen,” he says,

* See the cenotaph of Darnly mentioned before, i. 4. 2, and the view of the armies at Carbarrie Hill there given.

† Hist. xviii. 364.

‡ Forbes, i. 144.

¶ Ibid.

i. 210.

“ who—, contrary to her wont, hathe found her-
 “ self well, is now, upon occasion of such newes
 “ as Levastin brought from Scotland, fallen sick
 “ again ; in such fort, as the xxviii. of this present
 “ month, being at even-song, was *for faintnes* con-
 “ strained to be lad to her chamber, *where she*
 “ *sowned* [fwooned] *twice or thrise* *.” And thus,
 when her health improved into the strength and
 vigour which it afterwards obtained, then, and
 because of her previous delicacy of frame, an-
 guish of mind did for her, what bodily malady
 had done before.

(2) This tells us a very curious anecdote, con-
 cerning the ravisher. After the rape, finding the
 Queen highly indignant at the brutality done her,
 he actually stabbed himself. It was no pretended
 wound that he gave. It was a real one. And he
 shed many a “ drachm” of blood from it.

(3) This also intimates, that Mary was in danger
 of dying with grief, while she was kept under con-
 finement by her ravisher.

(4) This again shews the pretended regard of
 Mary for Bothwell, to have *confessedly* arisen since
 the rape, “ depuis.” It is highly ridiculous indeed
 in any of our writers to suppose, as all have sup-
 posed before Dr. Stuart; that Mary could ever
 have a regard for him. The rape might make
 the marriage necessary to her honour. The seizure,
 the bond, and the inactivity of all her friends under
 her captivity, might make it necessary to her pru-

* Forbes, i. 244.

dence. But the effrontery of the seizure, and the brutality of the rape, must have given her a violent disgust against him.

(5) Since the love that arose in her breast, after Bothwell's self-inflicted wound; she has for him despised honour, she has for him hazarded greatness and conscience, and she has for him *quitted* all her relations and friends. This implies an interval of time to have passed, betwixt the ravishing, which was prior to the wound, and the writing of the present sonnets; an interval, in which the wound had been given, she had despised honour, had hazarded greatness and conscience, and had quitted her relations and friends. But how could she have done any of these things, since the ravishing? How could she particularly have *quitted* her relations and friends, since it?

“ Pour luy tous mes *parens* j'ay quitté et amis,” French. “ For him I have forsakin all *kin* and “ friends,” Scotch. Here the Scotch is right. But in Sonnet i. “ *parens* ” is rendered by it “ freindis.” It is so likewise in Sonnet iii. Nor would it probably have translated the word differently, in this sonnet; if the union of “ amis ” with it, had not compelled the strayer into the right road. Even then, the translator never looked back to correct his mistakes before. Yet the word *parent*, at this day, very strangely means *a relation* in French; though *parens* means *parents*. And in a letter of May 1st 1568 Mary assures Elizabeth, that the latter has in no part of the world “ a more “ tender affectionate *relation* than herself,” “ une “ plus

“ plus profche, affectionée *parante*” (Haynes, 464).
I have even shown in ii. 4. 4, our embassadour at Paris in 1559 using the word *parentaige* for relationship, in a reported address from Mary.

(6) This concurs to show, that she is not yet married to Bothwell.

SECTION X.

“ De vous, je dis, seul fustien de ma vie,
“ Tant seulement je cherche m’asseurer;
“ Et si ose de moy tant presumer,
“ De vous gagner maugré toute l’envie :

“ Car c’est le seul desir de vostre chere amie,
“ De vous servir, et loyaument aimer,
“ Et tous malheurs moins que rien estimer,
“ Et vostre volonté de la mienne suivre.

“ Vous congnoistrez, aveques obeïssance (1),
“ De mon loyal devoir n’obmettant la science,
“ A quoy j’estudiray, pour tousjours vous com-
“ plaire (2),

“ Sans aimer rien que vous, sous la subjection
“ De qui je veux, sans nulle fiction,
“ Vivre et mourir; et a ce j’obtempere (2).”

" Of zow, I say, only uphalder of my lyfe,
 " I only feik to be affurit;
 " Zea, and dar presume fa mekle of myself,
 " To wyn zow in spite of all invy:

" For that is the only defyre of zour deir lufe,
 " To ferve and lufe zow trewly,
 " And fa to esteeme all wan hap les than nathing,
 " And to follow zour will with myne.

" Ze fall knaw, with obedience (1),
 " Not forzetting the knowledge of my leill dewtie,
 " The which I fall study, to the fine that I may ever
 " pleis zow (2),

" Loving nathing bot zow, in ye subjection
 " Of whom I will, without ony fictioun,
 " Leif and die; and this I consent (2)."

(1) This line is not very intelligible. But I suppose it to mean, that Bothwell should know what she had said before to be true, together with her obedience.

(2) How could any of Mary's friends, for one scruple of time, suppose the Scotch of either of these lines to be the original?

SECTION XI.

“ Mon cœur, mon sang, mon ame, et mon foucy,
 “ Las ! vous m’avez promis qu’aurons ce plaisir
 “ De deviser aveques vous a loisir,
 “ Toute la nuit, ou je languis icy (1),

“ Ayant le cœur d’extreme paour tranfy,
 “ Pour voir absent le but de mon desir (2).
 “ Crainte d’oublier un coup me vient saisir (3) :
 “ Et l’autre fois je crains que endure

“ Soit contre moy vostre aimable cœur,
 “ Par quelque dit d’un meschant rapporteur (4) :

“ Une autre fois je crain quelque aventure,
 “ Qui par chemin destourne mon amant,
 “ Par un fascheux et nouveau accident (5) :
 “ Dieu, destourne tout malheureux augure !”

“ My hart, my blude, my faule, my cair,
 “ Helas ! zow had promysit yat I suld have yat
 “ plesure,
 “ To devise with zow at leysure,
 “ All the nicht, quhair I ly and languishe heir (1),

“ My hart being overset with extreme feir,
 “ Séing absent the butt of my desyre (2).
 “ Feir of forzetting sumtyme takis me (3);
 “ And uther tymes I feir that lufesum hart

“ Be [not] hardinit aganis me,
 “ Be sum saying of ane wickit reporter (4):

“ Uther tymes I feir sum aventure,
 “ That be the way fuld turne abak my lufe,
 “ Be sum troublous and new accident (5):
 “ O God, turne abak all unhappy augure!”

(1) This plainly intimates to us, that Bothwell was now absent from Mary, and that the sonnets were sent as a poetical epistle of love to him.—“ To devise,” Scotch, is put to answer “ de de-
 “ viser,” French, which means to converse together; just as we have noticed “ devising” and “ devises” used, in the letters of our embassadours at Paris *.

(2) In the stanza before, we know that Bothwell is absent, because Mary complains he has broken his promise of sleeping continually with her, and has left her to languish in a solitary bed. But here we are expressly told, that he is absent.—“ Transy,” French, which signifies *benumbed*, is rendered “ over-
 “ fet” by the Scotchman. He seems to have guessed at the meaning, from the analogy. And we have

* See ii. 4. 4.

seen him before, much better acquainted with the Latin than the French.

(3) This also shows Bothwell to be absent.

(4) This also shows it. But the Scotch has interpolated "not," in direct contradiction to the sense.

(5) This also shows him to be absent, and on his expected return to her. And the word "aventure" in the Scotch, concurs with a variety of words before, and with the whole complexion of the Scotch, to demonstrate it a translation from the French; a translation, that reflects the features of the French so strongly, as prevents it from being ranked for Scotch; and yet necessarily throws such a Scotch air over the features of France, as precludes us from taking them for French. "Ælia Lælia
" Crispis, nec vir, nec mulier, nec androgyna,—
" sed omnia."

SECTION XII.

" Ne vous voyant selon qu'avez promis,
" J'ay mis la main au papier pour escrire (1),
" D'un different que j'ay voulu transcrire (2).
" Je ne scay (3) pas quel fera vostre advis;

" Mais je scay bien qui mieux aimer scaura,
" Vous diriez bien qui plus y gaignera (4)."

" Not

“ Not séing zow as zow had promysit,
 “ I put my hand to the paper to wryte (1),
 “ Of ane difference that I have willit copy (2).
 “ I cannot tell (3) quhat fall be zour judgement;
 “ Bot I knaw weill quha can best lufe,
 “ Ze may tell quha fall wyn maist (4).”

(1) This shows Bothwell to have staid beyond his expected time, and Mary to have therefore sent the sonnets as a letter to him.

(2) This means, as far as I can catch a glimpse of the meaning through the mist about it, that she wished to address herself to him on his delayed return, with complaints concerning his absence, an absence so contrary to his promise. These complaints she calls “un different” or “ane difference” between them. This was the reason of her writing. On this therefore she wished to expatiate. And to expatiate upon it, by a harsh and absurd mode of expression she calls a “transcribing” or “copying” it.

(3) “Je ne scay,” French; “I cannot tell,” Scotch.

(4) The sonnets pretend a voluntary intercourse of adultery, to have been carried on by Mary with Bothwell. In this they agree entirely with the letters. But they differ totally from them, in the main circumstance of this adultery. So continually on the wing is the dæmon of calumnious forgery, spying out new combinations of calumnies, and flitting

flitting from one forgery to another! And so peculiarly is this worst spirit of wickedness, “like the “*troubled sea, when it cannot rest, whose waters cast “up mire and dirt!*” The letters suppressed all idea of the rape, by building themselves upon the surmise of an adultery, antecedent to the date of the rape. They *thus* prove themselves to be spurious at once, and add one more to the many proofs of their spuriousness, which we have already. The sonnets therefore deserted this treacherous soil, and came back to the solid ground of fact. They founded themselves upon that rape, which the letters had buried under their own rubbish. But then, to adduce any thing like a charge of criminality against Mary, they were obliged to borrow the fictitious tale of adultery from the letters, to give it a new origin, to assign it a later date, and to subjoin it to the genuine story of the rape. And the sonnets thus form a middle line, betwixt the truths of history and the falsehoods of fiction; taking a part from both, reflecting the light of truth in the rape, presenting the shades of falsehood in the adultery; and shewing their own forgery the more conspicuous, by the striking opposition between them.

SECTION XIII.

SINCE I wrote the notes above, I have procured from Edinburgh the “Remarks on the “History of Scotland, by Sir David Dalrymple,”
now

now Lord Hailes. I find he has anticipated me in some slight observations, which I have made here. I find he has also made others, of which I envy him not the possession. His heat of prejudice against Mary, has warped his judgment much. He becomes disingenuous, under the influence. And indeed I must say, from the full conviction of my mind; that there is not a *single* enemy of Mary's, whom I can honestly pronounce to act upon fair and dignified principles, towards her.

To one unfair observation, I wish to speak particularly. It relates to the memorable passage in the ninth sonnet. I must repeat the words, for the more perfect satisfaction of my reader. They run thus in the French :

“ Pour luy aussi j'ay jetté mainte larme,
 “ Premier qu'*il fust* * de ce corps possesseur,
 “ Duquel alors il n'avoit pas le cœur,” &c.

These words speak too plainly of the rape committed upon Mary, not to be understood by every man who chooses to understand them. And the Scottish translation, which, *as to the fact alluded to*, is equally authentick with the original itself; speaks still more explicitly in these terms :

“ For him also I powrit out mony teiris,
 “ First quhen he made himself possessor of THIS
 “ body,
 “ Of the quhilk then he had not the hart,” &c.

* or *il se fist*.

The

The translation, and the original, thus unite to ascertain the meaning of the lines, beyond a possibility of unbiassed doubt. Yet Sir David endeavours to divert the passage from its purpose, and to make it allude—to what?—to *Bothwell's sleeping with his wife*, upon his marriage to her*. This is obviously such a preposterous effort of criticism, as would create *quodlibet ex quolibet*. It is the mere juggle and legerdemain of controversy. And, what is more, it is HISTORICALLY FALSE.

It supposes Mary to have had a violent affection for Bothwell, even *at the very time of his marriage to his wife*. But that this supposition is fundamentally false in fact, is apparent from the testimony of one of Mary's bitterest enemies. It appears from Randolph's own letters to Cecil.

The attachment of Mary to Bothwell, from his fidelity to her mother and her, appears very early in those dispatches. But the honourable firmness of Bothwell, in adherence to his own principles, and in opposition to the Queen's; appears as early in them. Even on December the 7th, 1561, Randolph says of both; that “at the *dirige* or mass “upon Friday and Saturday last,—she observed the “old manner in all her doings;” yet “she could “not persuade nor get one lord of her own to wear “the *deule* for that day, *nor so much as the Earl “Bothwell* †.” But his steady zeal for Protestantism, could not procure him the good opinion of a Randolph; because he continued loyal to his So-

* P. 211—216.

† Keith, 207.

vereign, when he was averse to her religion. Randolph accordingly speaks of him on the 10th of April, 1563, with all the harshness of a man, who considered the profession of Protestantism, as merely a long cloak to hide the cloven-foot of treason. "The Queen," he says, "knoweth now that the Earl Bothwell is sent for to London," when, on his flying out of Scotland by sea, he was cast upon the shore of England*:—"I know that she thinketh much, that he is not sent into Scotland: it is yet greatly doubted, that if he were here, he would be reserved for an evil instrument:—there comes a vulture in this realm, if ever that man come again into credit†." And yet Bothwell was actually at this very period, and for some years after it; even till he renounced his loyalty, embarked in treason with those arch-traitors, Murray, Morton, and Lethington, and became as genuine a protestant, and as great a knave, as they; a very extraordinary favourite with the main body of the nation. He was then, says a cotemporary memoir-writer, "the darling of the common people for his courage and liberality;" and he was also "the envy of the court." Even as late as October 1566, "James Hepburne Earl of Bothwell," says the same writer, was "a man as yet *generally* esteemed and *applauded*." And, as he also adds concerning a prior period of his life, Bothwell "was unanimously chosen general to the army,

* Knox, 322.

† Robertson, ii. 332—333.

" when

“when very young, merely upon the score of his
“bravery *.”

Bothwell, then, was a favourite equally with the Queen and with the nation, before he confederated with the knaves above, and laid all his loyalty at their feet. He was not more a favourite with the Queen, than with the nation. He was even less.

* Crawford, 42, 2, and 53. “In the weiris aganis Ingland,” says Mary also in her instructions to her embassadour, May 1567, “—he gaif sic pruiſ of his vailzeantnes, courage, and
“gude conduct; that notwithstanding he was yan of verie
“zoung aige, zit wes he chofin out as maift fit of the haill
“nobilitie, to be oure lieutenant-generall uponn the bor-
“douris, having the haill charge alſweill to defend as to af-
“ſayle. *At quhilk tyme he maid mony nobill entirpryſes, not
“unknawin to baith the realmis; be the quhilk he acqueirit a
“ſingular reputatioun in bayth*” (Keith, 388). Yet this is the man, whom the overweening confidence of calumnation has represented, as a braggart and a coward (Detection, 53—55, Anderson, ii. and 304—305, Jebb, i.) And thoſe “mony
“nobill entirpryſes” are now all ſuppreſſed, by the partial hand of hiſtory.

Having obſerved this, let me mark what I take to be three other miſtakes concerning Bothwell. He is ſaid to have diſſipated his fortune by his extravagance, and ſo to be ready for any meaſures of deſperation (Anderson, ii. 55, Jebb, i. 305); when in Paris’s firſt confeſſion he is ſaid at the very time, to be “the greateſt lands-lord of the country” (Goodall, i. 139). His family alſo is ſaid (Keith, 388), to have been only a younger branch of the Hepburns of Wanghton; when the Wanghtons are only a younger branch of the ennobled Hepburns (Douglas’s Peerage, 83). And he is alſo declared in 1567 to have been thrown into a priſon in Denmark, there to have lived ten years, and there to have died (Stuart, i. 272); when in 1570 he was “ſtrolling about at liberty, and living
“without dread of puniſhment” (Goodall, i. 360—361).

In 1563 she put him in prison, on a charge of “conspiring to kill the Queen, and those in credit about her *.” On the 4th of March 1564-5 Randolph tells us, that “Murray of Tillibarden” is “come from Bothwell out of France; to sue for some favour, either liberty to return, or means to live there: *they think him worthy of no favour* †.” He was neither to be allowed the means of staying abroad, nor permitted to come home. And on the 15th he adds, that “*the Queen* misliketh Bothwell’s coming home, and *hath summoned him to undergo the law, or be proclaimed a rebel*: he is charged *to have spoken dishonourably of the Queen*, and to have threatened to kill Murray and Lidington: David Pringle, one of Bothwell’s servants, will verifie it ‡.” Bothwell obeyed the summons. He returned into Scotland. The 3d of May was the day fixed for his trial. Argyle, the hereditary judge, and Murray, his malignant prosecutor; and both united with the Duke of Chatelleraut, as Cecil himself informs us, “in a common quarrel ageynst all, excepting God and ther Soverayn;” came to the court with an army of retainers, amounting to FIVE THOUSAND men, all horse. Alarmed with this formidable appearance of force, and dreading the violence which it obviously threatened, Bothwell did not surrender himself to trial. And of course he was condemned for non-appearance. But the Queen saw the policy of Murray, too gross in this grand measure of

* Keith, 269, 248, and 240.
270.

† Ibid. 269.

‡ Ibid.

terroure; to suffer all the advantages, which he meant to be taken of it. She ordered the justice-clerk, not to prosecute the sentence of outlawry against him *. Yet he was obliged to retire into France again, and to remain there for some time. Then Murray beginning to unsheath his tiger-claws, and to display his tiger-fangs, in the act of rebellion against Mary; she naturally began to recall such as had opposed him, and had been driven into banishment for the act. Bothwell was one of these. On July 4th, 1565, "it is saide," Randolph informs us; "that the Earl Bothewell and Lord Seton are sente for, which hathe appearance of trothe, and [they] are knowne to be feet [fit] men to serve in thys worlde †." On July 19th he adds with more certainty, that "the letter to revoke the Earle Bothewell was subscribed, within these three days ‡." He and Sutherland

* Murdin, 758, and Keith, App. 160. The connection of this fact concerning the armed force of, and the confederacy between, Argyle and Murray, with the two facts preceding, has never been attended to before. The number of armed men here, is also given all to Murray, by Dr. Robertson, i. 326, and Dr. Stuart, i. 92. The latter therefore very reasonably reduces the number, with Knox, to 800. But Randolph's number is Argyle's, as well as Murray's. "The Earls of Argyle and Murray," he says, "came to Edinburgh with 5,000 horse." And so is Knox's too. To Murray, he says, "*assisted* seven or eight hundred men;—there *assisted* my Lord of Murray, the Erles of *Argyle*, Glencarn, and Crawford, *with grit numbers*, and *many Lords and Barones*" (Knox, 372). We must therefore abide by Randolph's number; as he wrote at the time, and Knox or his continuator some time afterwards.

† Keith, Hist. 295.

‡ Ibid, 302.

accordingly returned, in a few weeks afterward *. And Bothwell re-appears in council for the first time, on the 10th of October following; when the Queen's army was now near to Dumfries, and advancing upon the collected body of the rebels there; and when it was settled, that the main battle should "be led be the Kingis Majestie's selfe, being accompanied with the Erlis of Mortoun, *Bothwell*," &c †. So little was Bothwell a favourite with the Queen, while the hand of Murray retained those reins of authority over her, which he had half wrested and half received from her!

Before the recall of Bothwell, Mary had been married to Darnly. She was married on July 29th, 1565, two or three months before. Her affection for Darnly was warm and lively. Nor was it ever *alienated* from him, till he engaged in the murder of Rizzio on the 9th of March, 1565-6. "Well," she then cried to this mere *Vandal* and *Hun* in all friendliness, on her instant agony of anguish at the fact; "you have taken your *last* of me, and your *farewell* ‡." But Bothwell was also married, in the month *immediately preceding* §. In the November and December before both, as Knox himself informs us, "at hir pleisure, the Erles of Lennox, Athole, and Cassels, with divers uthers, without ony dissimulation knawn, went to the messes openly in hir chapell; yet, nevertheles, the Erles of Huntley and *Bothwell* went not to the

* Keith, Hist. 310.

† Ibid. Appendix, 115, and Hist.

316.

‡ Robertson, ii. 356.

§ Tytler, 3d edit.

Appendix, 25—26; and Robertson, ii. 450.

"messes,

“*mess*, albeit they were in grit favour with the
 “*Quene* *.” And in this very month of February
 we know for certain from Randolph himself, and
 even from Knox; that Bothwell again played the
 same game which he had played before, by again
 refusing a compliance with the ceremonies of the
 Queen’s religion; and that for this conduct, which
 shows an uncommon degree of reverence in him
 for his own principles of faith, he was so far from
 being an object of *violent* or of *any* love to Mary,
 as actually to be disliked, and actually to be frown-
 ed upon, by her. “The Erle of Bothwell,” says
 Knox, “was married unto the Erle of Huntley
 “his sister: the *Quene* desired, that the marriage
 “might be maid in the chappell at the mess;
 “quhilk the Erle Bothwell *wald in nowise grant* †.”
 “The Queen of Scots hath said openly,” as Ran-
 dolph informs us in a letter of February 5th, 1565-6,
 “that she will have mass free for all men that will
 “hear it; *her husband, his father, Lord Athole,*
 “and others, now daily resort unto it; the Pro-
 “testants are in great fear and doubt, what shall
 “become of them ‡.”—“Upon *Candlemas Day*,”
 adds Randolph more circumstantially on February
 7th, “there carried their candles with the Queen,”
 in the Popish procession usual on the day, “*her*
 “*husband, the Earl of Lennox, and Earl Athol;*
 “divers other lords have [had] been called to-
 “gether, and required to be at the mass that day;
 “some have [had] promised, as Cassels, Mongo-

* P. 389.

† Knox, 392.

‡ Goodall, i. 274.

“merie, Seton, Cathness; others have [had] refused, as Fleming, Levingston, Lindsay, Huntley, and BOTHEL: and OF THEM ALL BOTHEL IS THE STOUTEST, BUT WORST THOUGHT OF*.”

Bothwell therefore, at this time, was less obsequious to Mary, and more out of favour with her, than even Darnly himself. He had also been less complying with her religious prejudices, than many of the peers. He had even been more resolute in his refusal to comply, than any of them. He was too little a Papist, to concur with the Popish lords. He was too much a Protestant, not to give a more peremptory denial, than any of the Protestant nobility did. He thus persisted in all that firmness of adherence to principle, which he had evidenced before his banishment. He persisted in it, notwithstanding all the additional sollicitations of *gratitude* for his recall. And he even stood forward with a *peculiar* strain of bravery, to oppose the Queen in a favourite measure. In consequence of all, he was *peculiarly* an object of Mary's dislike at the time. Yet this, this is the very time, in which Sir David, *unhappily crossed by his stars*, makes Mary to have had a violent love for Bothwell.

I might indeed have spared myself the trouble, of proving this against him. His whole argument consists merely of a *supposition*. I might therefore have left it to float in air, by its own levity of nature. Sir David *supposes* the truth of one calumny, in order to *prevent* the detection of another. And

* Robertson, ii. 354.

his conduct shows us the ready wantonness of calumnation, which actuates even the more prudent, and the more honourable, adversaries of Mary at present: which impels them, in spite of their honour, to stand out against the plainest proofs: and which induces them, in spite of their prudence, to throw up fresh works of slander, in order to fortify the old; to retire from argument into supposition; to add one weak supposition to another; to continue the warfare by petty efforts, when they can no longer maintain it with vigour; and so to proclaim their own disgrace, and the disgrace of their cause, the more loudly to the world.

I say this, in a necessary vindication of the character of Mary from the insinuations of prejudice. But I shall not urge Sir David any farther. I should naturally have done so, because he is alive to defend himself; and have exposed the equal airiness, of some other points in his work. But, having refuted his main argument, I think myself precluded from assailing the rest, by the declaration which he has made; that, whoever attacks his hypothesis, he will not defend it*. A brave man cannot condescend to push his success against a champion, who in the same moment gives the challenging blow, and declines the provoked combat. I shall therefore dismiss him with an anecdote, concerning an antagonist similar to himself. A French gentleman attacked the late Mr. Swinton of Oxford, upon one of his papers in the Phi-

* P. 219.

losophical Transactions. Like Sir David, he put forth all his strength in the attack. Like him too he declared, that, if the other replied, he would not rejoin. Mr. Swinton did reply. And though in the printed copy he was induced by Lord Moreton, then president of the Royal Society, to suppress what the latter too prudishly thought a national reflection; yet in the MS. he inserted this stroke of humour, the only one which I remember to have come from Mr. Swinton, That such an attack, and such a declaration, reminded him of his antagonist's countrymen at the battle of Dettingen, who gallantly advanced up to our troops, threw in all their fire, and then—RAN AWAY *.

* Since the publication of my work, as I have intimated in my advertisement to this edition, Lord Hailes has favoured me with a letter concerning the present part of it. In this he urges some new arguments, against the obvious application of the ninth sonnet; and he virtually gives up the old, by not offering to defend them. And as I wish to bar the door for ever to those, who would willingly fly from the conviction forced upon them by this sonnet; I shall present my reader, with the substantial part of my reply to his letter.

“ Your lordship—intimates, that you meant not to be an
 “ antagonist to Mary, in your published observations on the
 “ ninth sonnet. Yet, on reviewing your observations again,
 “ I must think that you *appeared* as such. The whole turn of
 “ your remarks is hostile to Mary. You do not indeed speak
 “ out, like a Buchanan, or even a Robertson, against her.
 “ You are not an avowed enemy. Yet you are an enemy.
 “ And, at the close, you drop the involuntary disguise en-
 “ tirely; by speaking of “the votaries of Mary,” as dif-
 “ ferent from and opposite to yourself. In such circumstances,
 “ my Lord, can you wonder that one of “her votaries,” and
 “ one who has extended “the Marian controversy, already
 “ too

“ too angry and too voluminous,” into three volumes more
 “ of anger for her sake ; mistook you for one of her adver-
 “ saries.

“ Even in your present letter, your Lordship is equally act-
 “ ing in the same manner against her. You are still endea-
 “ vouring to wrest out of the hands of her friends, that for-
 “ midable weapon of defence, which your Lordship’s *sagacity*
 “ first discovered in the sonnets, and which your Lordship’s
 “ affection instantly attempted to prevent her friends from seiz-
 “ ing. You saw the use, that might be made of it. Your
 “ spirit was alarmed. And your understanding instantly sup-
 “ plied you with a measure of diversion, that it thought would
 “ be effectual. Such, at least, appears to me to have been
 “ the process in your mind, indiscernible perhaps to yourself,
 “ but visible to the eye of criticism. The operations of the
 “ mind become visible, in the acts of the man. And your
 “ Lordship’s letter, I am persuaded, is only a continuation of
 “ the same efforts against Mary, which your Lordship began
 “ in your publication.

“ You seem, however, to drop the grand point at present,
 “ of “ *ce corps*” meaning the body of Lady Bothwell, instead
 “ of the body of Mary. You turn to other words in the sonnet.
 “ And these are to serve the purpose, I presume, for which the
 “ others were originally engaged.

“ The first line,

“ Pour lui aussi j’ay jetté mainte larme,
 “ you say, “ does not mean, in your opinion, any violent
 “ passion of love, but merely the manner in which females,
 “ who may be both *ayabai* and *api-dangves*, interest them-
 “ selves for any one.” But if the line signifies any passion of
 “ love in Mary for Bothwell, at the time of his marriage to
 “ Lady Jane Gordon ; then it is, as I have decisively shewn
 “ (I think) in my work, directly in the teeth of truth. And
 “ that it must mean *love*, and not any lower degree of regard ;
 “ is plain. For a woman to shed tears, and to shed many a tear,
 “ on the marriage of a man to another woman ; is surely an
 “ evidence of something more than regard. It comes for-
 “ ward to the judgment at once, a full proof of disappointed
 “ love.

“ In the next line, as you *now* think, the first words “*pre-*
 “*mier que*” should be rendered, not *first when*, but *before*
 “*that*. At present, undoubtedly, “*premier que*” signifies
 “*before*. This is certainly in favour of your argument. But
 “ then the argument has ten times more in its disfavour, I
 “ think. There has been a great alteration made in the
 “ French language, since the days of Queen Mary. Of this we
 “ have a notable instance, in the very letters ascribed to her.
 “ It occurred to me, only since I published. But it is very
 “ apparent. “*Aucun*” and “*aucunement*,” at present, sig-
 “ nify *none* and *not at all*. Yet in Lett. i. Sect. 5, 7, 8, 13,
 “ 26, 29, and 33, “*aucun* ;” and in Lett. vi. Sect. 2, “*au-*
 “*cunement* ;” signify the very opposite of this, and mean
 “ *some* and *somewhat*. Just so it is with “*premier que*.”
 “ Now meaning *before*, it formerly meant, as the present pas-
 “ sage shews, *first when*. This was so obvious from the whole
 “ air and complexion of the context, that you yourself, and I
 “ after you, took it without hesitation in that sense only. And
 “ the Scotch translator, a cotemporary with the original writer,
 “ took it precisely in the same sense. Nor indeed can the
 “ context admit of any other. Upon this new construction,
 “ the lines would run thus ;

“ For him also I pourit out mony teiris,
 “ *Before* he made himself possessor of this body,
 “ Of the quhilk he had not then the hart.”

“ Here we have the tears noticed as before, but *the object of*
 “ *them is all withdrawn from the view*. The *cause* of the tears,
 “ which was particularly dwelt upon before, is not even
 “ glanced at now. And the *fact*, that provoked the tears, and
 “ that was explained in the fullest manner before, is now
 “ buried in the grave of refinement. We had plain common-
 “ sense before, we have not a ray of it now. We are left to
 “ grope in the dark, for the *occasion* of all. The stated fact is
 “ turned into a mere chronology of it. And we have an am-
 “ ple display of the chronology, belonging to the fact ; while
 “ the fact itself, to which the chronology belongs, is totally
 “ suppressed. Surely all this, my Lord, is such a turning and
 “ twisting of the whole, such a deviation from propriety into
 “ wildness, and such an ascension from the solid ground of
 “ criticism

“ criticism into the airy regions of system; as must strike
 “ powerfully upon your Lordship’s mind. Your Lordship, I
 “ am sure, will be above the wretched subterfuge, of making
 “ the sonnets to speak nonsense; rather than let them speak
 “ a sense, disagreeable to your prejudices.

“ I have said thus much, my Lord, in honour of your Lord-
 “ ship’s observation. But I need not say more. The whole
 “ passage applies too powerfully to every mind, I think, to be
 “ long resisted. And that your Lordship could resist it before,
 “ would be more surprizing to me, if I did not know too much
 “ by experience, of the uncertainty of the human mind, &c.

“ But, as to my application of this line,

“ “ Quand il versa de son sang mainte dragme,”

“ to some wound inflicted by Bothwell upon himself soon after
 “ the rape; you very properly observe, that “ some evidence
 “ ought to be given” of such a wound. Some certainly should.
 “ Some actually is given. And it lies in this very passage.
 “ When the grand fact is ascertained, *that* gives the tone and
 “ tendency to all the others. When the capital figure in the
 “ piece is appropriated, *that* throws a clear light upon all the
 “ rest. And the rape being the grand and leading point of
 “ the whole, every lesser circumstance must necessarily be re-
 “ ferred to *that*,”

CHAPTER THE THIRD.

HAVING noticed all the circumstances in these sonnets, which can serve to ascertain the chronology; I now proceed to show the insufficiency of them for that purpose. They are so incompatible with one another, and with history; that no date can be founded upon them. And they therefore prove the spuriousness of the sonnets, in the most satisfactory manner.

The sonnets are plainly one letter, written and sent at one period of time. This appears from some of them running into the others, from the general connection that spreads through many or most of them, and from the last of them forming obviously a conclusion to all. And the rebels accordingly instructed the commissioners at Westminster, to consider them all as ONE sonnet*.

They were then, and at their first publication, *prefixed* to the Glasgow letters; as if they were antecedent to them in time. Accordingly Buchanan takes care to inform us, that they were “writtin be
“ye Quene of Scottis to Bothwel,—as it is said,

* Appendix, N^o viii.

“quhile hir husband levit.” Yet, that the date of them is posteriour, is evident from the whole tenour of them. And accordingly Buchanan says also, in a more sober strain; that they were written “befoir
“hir mariage with him, and—befoir his divorce
“from his wyfe.”

But at what period before the marriage, must we fix them? In that between the seizure and the marriage, say Lord Hailes and Dr. Stuart. Many circumstances indeed concur to assign this, for the interval in which they pretend to be written. But some forbid it. The grand act of ravishment, which we know to have not taken place till the seizure, seems to fix the sonnets decisively to this interval. Yet the ABSENCE of Bothwell, which is made the very cause of writing them, necessarily carries us to a later period.

SECTION I.

IN all the time of Mary's captivity within the walls of the two castles, Bothwell never left her. It would have been infinitely absurd indeed, for him to have done so. He had committed a deed, which nothing but the bond of the nobility; the secret solicitations of Morton, Lethington, and the other traitors; the folly of his own head; and the corruptness of his own heart; could have put him upon executing. And nothing but the humiliation
of

of Mary, by the violation of her modesty; and by the consequent compulsion of her into matrimony, for the reparation of her wrongs, and for the satisfaction of her delicacy; could now save it, from turning to his utter ruin.

The *day after* he had procured the bond of association for his marriage with her, he waited upon her, made a distant intimation of his hopes, but suppressed all mention of the bond. Mary instantly gave him such an answer, as dashed all his proud expectations at once. He became desperate. He had originally fancied, that he had nothing to do, but to court and to marry the Queen. In this he found himself dreadfully mistaken, as his pretended friends and actual impellers, most probably, foresaw he would be. He therefore resolved to have recourse to an act, which the wild turbulence of the Scotch at the time, rendered too familiar to the minds of their barons; and which was pretty sure to be the next step, in the operations of a man, so daring, so silly, and so stimulated. The bond “beginning anis obtenit,” says Mary herself concerning this hitherto unnoticed part of her history, “he began afar off to discover his intention to us; and to assay, if he mycht be humill fute purches our gude will: but finding our answer nathing correspondent to his desire,—he resolved with himself to follow furth his gude fortune; and, *all respects laid apart, ayther to tyne all in ane hour, or to bring to pas yat thing he had takin in hand* *.”

* Anderson, i. 94—95.

He

He accordingly resolved upon seizing her. He even determined upon *ravishing* her. “He conveyed her,” say Crawford’s Memoirs in MS. “by force, as appeared, to the castle of Dunbar; *to the end* he might enjoy her, as his lawful spouse *.” He even *declared* as much, in the first moments after the seizure. Let us hear Melvill’s intimations, concerning the seizure and the rape. They are little known. And even *Scotch* writers appear to have been so far imposed upon, by the equivocal meaning of the word *ravishment* in Scotch; as to confound the rape and the seizure together, and to sink the former entirely in the latter. “Shortly after,” says this historian; who in general gives a negligent, confused, and self-conceited account of things, but who merits all credit upon the present occasion, as he was actually with the Queen at the time; “her Majesty went to Stirling, and in her back-coming—the Earl of Bothwell ran—countered her with a great company, and *took her Majesty’s horse by the bridle*; his *men* took the Earl of Huntly, the secretary Lidington, and me, and carried *us* captives to Dunbar; *all the rest were permitted to go free*,” with a view plainly to the rape. “*There* the Earl of Bothwell boasted he would marry the Queen, *who would or who would not*; yea, WHETHER SHE WOULD HERSELF OR NO.” This must have been the very day of the seizure, as “the next day,” adds Melvill, “I obtained permission to go home †.” Huntly and

* Keith, 383.

† P. 79—80.

the secretary, no doubt, were permitted to go home immediately afterwards. The rebels by a proclamation on the 12th of June say, that the Queen was left “destitute of all COUNSALE and SERVANDIS *.” The Queen also says herself, that she was “in his
 “puissance, sequestrate from ye company of all
 “her SERVANDIS and OTHERIS, QUHOME-OF SHE
 “MIGHT ASK COUNSALE †.” And, as Melvill soon remarks with a judicious explicitness, that is peculiarly wanted in this period of the history, and has since been frittered away by a spirit of delusive refinement; “*then the Queen could not but marry
 “him, SEEING HE HAD RAVISHED HER, AND LAIN
 “WITH HER AGAINST HER WILL ‡.*”

Bothwell's union with Morton, Lethington, and the other traitors, in the horrid murder of Darnly; shows him to have been capable of any atrocious villainy. His taking the principal execution of that villainy upon himself, proves him to have been a mere instrument of mischief in their hands. He therefore saw not the sure consequences, of either the murder or the seizure. He thought, no doubt, that they, who had supported him in the one, would equally support him in the other. And he boasted at the very outset, we see, that he *would* marry her, *who would or who would not*; and even, *whether she would herself or no*, even though she should still persist in her refusal of him. But, when he came to the *immediate* execution of his purposes, he very naturally began in a different

* Anderson, i. 131.

† Ibid. i. 97.

‡ P. 80.

manner.

manner. He had coolly resolved upon a rape. Yet even *his* brutal soul recoiled at the act. The intended ravisher was again turned, into the humble suitor. "In quhat part we tuke yat maner of dealing," says Mary herself concerning the seizure, "bot speciallie how strange we fand it of *him*, of quhome we doubtit les yan of ony subject we had; is easie to be imagined. Being yair," at Dunbar, she adds, "we *reprochit* him ye honour he had to be sa esteemit of us, ye favour we had alwayis schawin him, his ingratitude, *with all uther remonstrances quhilk mycht serve to red us out of his handis.*" And "albeit," she says, "we fand his doing rude," in the seizure, "zitt were his answere and wordis bot gentill." He begged pardon for his boldness. He pleaded necessity for it. "He was drevin be force, als weil as constrained be lufe; ye vehemency quhairof had maid him to sett apart ye reverence, quhilk naturallie, as oure subject, he bure to us; as alswa for faif-tie of his awin lyff." He had met with so many enemies, and was still so sensible of the malice secretly working against him, "yat he could not find himself in furtie, without he were assurit of oure favour to indure without alteration; and uther assurance yairoff could he not lippin in [depend upon], without it wald pleis us to do him that honour, to take him to husband." And he "promised alwayis, yat he wald seek na uther soverain-ty bot as of befoir, to serve and obey us all the dayis of oure lyff; joyning yairunto all ye honest language, yat could be usit in sic a caifs."

But still finding himself unlikely to succeed, he at last produced the bond, and showed it to her. She was thoroughly astonished at the sight. “Quhen
 “he saw us *lyke to reject all his sute and offeris*, in
 “the *end* he schowed, how far he was procedit with
 “oure haill nobilitie and principallis of our estaittis,
 “and quhat thai had promeist him under yair hand-
 “writtis: GIF WE HAD CAUS YAN TO BE ASTO-
 “NEIST, we remit us to ye judgement of ye King,
 “ye Quene, our uncle, and uthers our friendis *.”

She

* This refutes the slanderous quotation in Keith, 383, upon the testimony of which Dr. Robertson very naturally loves to rest (Diff. 19, and Hist. i. 418), and by the account of which
 “all the way she neither made obstacle, impediment, clamour,
 “or resistance.” Some falsehoods, indeed, refute themselves by their own absurdity. This is one. If Mary had been *really* carried away by collusion, she *would certainly have resisted and clamoured*, in order to maintain the *appearance* of a seizure. She would most probably have clamoured *very loudly*, and have resisted *very strenuously*, in the natural overdoings of hypocrisy.—So also, when one of Bothwell’s captains took Melvill prisoner, and alledged the whole seizure to be with the Queen’s own concurrence, an allegation upon which the Doctor wishes equally to rest (Diff. and Hist. *ibid.*); had it *actually* been with the Queen’s concurrence, the captain *would never have been entrusted with the secret*. But when a Queen was to be seized by her subjects, and by *loyal* subjects, such as this captain was; a falsehood of that nature was sure to be suggested, in order to induce them to seize her. And this very captain, being afterwards put to tortures and to death, as one of the murderers of Darnly, did not bring the slightest accusation against the Queen for either the murder or the seizure, and did even acquit her of all blame in both (Keith, 406, and 407; Crawford, 41; and Lesley’s Defence, 77).—Accordingly we find, that the Queen showed strongly by her words, how
 much

She found her lords “befoirhand alreddie zeald-
 “ed to hys apetyte, and swa herself left allane, as
 “it wer a pray to him.” In this distrefs of mind,
 “mony thingis,” says she, “we revolved with our
 “self, *bot nevir could find ane outgait*: and zit gaif
 “he us lytill space to meditate with oure self, evir
 “preiffing us with continewal and importune fute.”
 She still, however, refused to give him any en-
 couragement. She was in hourly hope, that some
 of

much she resented Bothwell’s seizure of her. She expressed her astonishment peculiarly, at such an act of rebellious presumption in *him*, whom she had hitherto found so eminently loyal. And when she came to repeat the story a few days afterwards, she was so full of her indignation still; that she could not dwell particularly upon it, but was obliged to *leave the whole* to the *imagination* of her friends in France. But indeed both these assertions of calumny are contradicted directly, by an authority even superiour to Mary’s in this point, even by the very rebels themselves. Bothwell, they say on the 16th of June, “ambesett hir Majesties way, tuik and ravishit hir maist noble person, and led the samyne with him to Dunbar castell, thair detayning hir prisonere and captive” (Anderson, i. 136). Bothwell, they add on the 21st of July, “tresonabilie revefit hir Majesties maist noble person, and led hir captive to Dunbar” (Anderson, i. 142). And, as they subjoin in their grand act of attainder against Bothwell, on the 20th of December following, he and his accomplices were attainted “pro eorum *proditoriâ interceptione* nobilissimæ personæ matris nostræ Mariæ, Scotorum Reginæ, in viâ suâ;—ac *proditoriâ et violentâ incarceratione* nobilissimæ personæ dict. charissimæ matris nostræ in castro de Dunbar; et *detentione* ejusdem in dicto castro ad spatium duodecim dierum; sic *nefandum crimen raptûs* in nobilissimam personam ipsius *committendo*” (see Black Acts). But why do I stop to refute such frivolous

of her faithful subjects would come to her rescue. But she was sadly disappointed. The soul of loyalty seemed to be all bound up, as by a spell. Her enemies attributed the seizure to a collusion. Her friends stood all at gaze, not knowing how to consider it, and waiting in suspense for information *. And, "in ye end," says Mary, "*quhen we saw na espyrance to be red of him, NEVIR MAN IN SCOTLAND ANIS MAKAND ANE MYNT TO PROCURE OURE DELIVERANCE*; for yat it mycht

imputations as these, upon Mary? My reason is; that the imputations, however frivolous, have been long received by the ready malevolence of the world, as true; and that their reception has been particularly enforced, by the authority here relating them. And I wish to observe at the close, that the great fact of the rape afterwards, comes in with a decisive addition to all; and joins to sweep those slanderous impertinences, in a tempest of evidence before it.

Let me also add, that the grand reason assigned for Bothwell's seizure of the Queen, by the rebels at York (Goodall, ii. 141—142), by Buchanan (Hist. xviii. 356), and by Robertson (i. 418), *in order* to obtain a formal pardon for it afterwards from the great seal, and, under it, for the murder of the King, as a lesser offence included in a greater; is as false in fact, as it is wild in appearance. *Bothwell never did obtain, never did apply for, such a pardon*; whatever Mr. Hume may venture to affirm (v. 114—115), in idly referring us to their very reason assigned, as a proof of the fact itself. Neither Dr. Robertson, nor Buchanan, nor the rebels at York, pretend to assert he did. Had he applied for it, he must certainly have obtained it. Had he obtained it, the rebels would have certainly urged and re-urged the pardon, as a proof positive against the Queen. And thus the grand reason assigned for the act by the folly of Mary's traducers, appears eventually to have been no reason at all. * Crawford's Memoirs, 20.

" appear

“appeir be yair *handwrittis*” in the bond, “and
 “*silence* at yat tyme, yat he had won yame all; we
 “WER COMPELLIT to *mitigat* oure displeasure, and
 “*begin* to *think* upon yat he propounded.”

She began to soften a little, in appearance or
 in reality. Then “he partlie extorted, and part-
 “lie obteinit, her *promeis* to tak him to her huf-
 “band.” But he still thought the promise to be
 wholly extorted, and the softening to be only ap-
 pearance. In all probability they were so. She
 had practised the same arts with success, upon the
 murderers of Rizzio. And he was still on the very
 verge of ruin. “*Fearing evir sum alteratioun*, he
 “wold not be satisfeit with all the just reffonis
 “we could allege, to have ye consumation of ye
 “marriage delayit, as had bene maist reffonabill;
 “quhill we mycht communicat ye same to ye
 “King, ye Quene, oure uncle, and utheris oure
 “friendis.” He grew desperate. He recurred to
 his original resolution, that horrible suggestion of
 despair, a rape. He should thus put it out of her
 power to deceive him. Such is frequently the base
 policy towards women, that lies lurking at the
 heart of men! He had even the contrivance and
 the audacity, to execute it. “As be a bravade in
 “the begynning he had wyn ye first point,” the
 seizure; “sa ceased he nevir, till be perswasious
 “and importune sute, accompaneit not ye less
 “with FORCE, he hes *finalie* DREVIN us to end ye
 “work begun, at sic tyme,—” by a marriage so
 early, “as he thocht mycht best serve his turn.”

And in all this period he could not have left, and did not leave, her for a single moment *.

We have even a rebel authority, that he did not leave her while she remained in Dunbar. The rebel journal expressly tells us so. "April 24th," it says,—“Bothwell met hir upon the way, seamit
 “to ravish hir, and tuik Huntly and the Secretarie
 “prisoneris, and led them all to Dumbar, and
 “THAIR REMAINIT TO THE THIRD OF MAY.” He then brought her to Edinburgh castle. But he still left her not. “May 3d,” adds the journal, “she wes conveyit be Bothwell and all his freindis,
 “with sperris, to Edinbrough castell; and for fear
 “of accusation [they] kast thair sperris from thame
 “be the way; and the nixt Sunday hir bannis wer
 “proclomit be hir awin precept, subscryvit with
 “hir hand.” Yet Bothwell durst not still trust her by herself. He therefore kept her in Edinburgh castle, till the 12th. This day, says the journal, “she cam *with Bothwell* out of the castell
 “to the tolbuyth befor the lordis of session, and
 “tuik hir protestatioun and act thair of hir liber-
 “tie; and so past *togidder* to the abbay †.” He thus permitted her at last to reach the palace of Holyrood-house, to which she was going in peace

* From the Queen's own account, Anderson, i. 95—99: in which the delicacy of the lady, and the prudence of the wife, are in a continual struggle with facts; willing to lay open the whole for her own vindication, yet unable to do it for her own sake and her husband's, and yet doing it in effect.

† Appendix, N° x.

upon the 24th of April, little suspecting the storm of evils, that was just ready to burst upon her head, and that ceased only with the last moments of her life.

But, even there, how did he treat her? Did he then leave her, and show less jealousy of her? The rebels shall again tell us. But we must first read their very curious and very remarkable account, of his conduct to her before. It opens a new and astonishing scene of profligacy, in him.

“How shamefully the Queen our sovereign,” they say to Throgmorton on July the 20th afterward, “was *led captive*, and by FEAR, FORCE, and “(as by many conjectures may be well suspected) “*other* EXTRAORDINARY and *more* UNLAWFUL “means, COMPELLED to become bedfellow to another wife’s husband:—is manifest to the world.” This carries an intimation of something superlatively villainous and horrible, in the very sound of it. The “extraordinary means” made use of, in *addition* to *fear* and *force*; and the means, that *could* be “*more* unlawful” than they; must be some practices of the most diabolical nature. Dr. Stuart, an author who must ever be mentioned with the highest respect by the friends of Mary, and the first who called out this striking passage into notice; supposes *amatorious potions* to be meant by it*. But it means, I doubt not, something very different. It alludes to those practices, which Lovelace actually uses upon Clarissa, STUPIFYING

* Hist. i. 376.

DRAUGHTS. The former are inconsistent with the *fear* and *force*, to which they are brought in as assistants, and even contradictory to the *compulsion*, of which they are said to have been actual instruments. But the latter coincide directly with them, and with the whole history. This passage, therefore, not only confirms the incident of the rape, but also apprizes us of a circumstance in it, that is charged with peculiar guilt. The STUPIFYING DRAUGHTS, ministered by the contrivances of Bothwell to the imprisoned Mary, compleat the picture of his daring flagitiousness and her heroical honour. And let it ever be remembered, that those very rebels, who pretended to have intercepted the letters, sonnets, and contracts, on the *twentieth of June* 1567; and who on them have grounded a charge of adultery and murder against her, of adultery with Bothwell, and of murder for the sake of Bothwell; even they, on the *twentieth of July* afterwards, did formally and authoritatively announce her, to have been a “compelled bed-fellow” to Bothwell; to have been “led captive” by him first, and *then* to have been “compelled” by “fear,” by “force,” and as from many circumstances they say they conjectured, and as, no doubt, they knew from Bothwell himself, though they could not avow the communication, “by other extraordinary and more “unlawful means.”

“He had,” as the rebels go on, “in three
“months found such hap in an unhappy enter-
“prize; that, by the murder of the babe’s father, he
“had purchased a pretended *marriage* of the mo-
“ther,

“ther, seized her person in his hands, *environed*
 “*with a continual guard of 200 barquebuziers, as*
 “*well day as night, wherever she went*; that if any
 “man had to do with the Prince, it behoved him,
 “*before he could come to her presence, to go through*
 “*the ranks of barquebuziers, under the mercy of a*
 “notorious tyrant, as it were to pass the pykes *.”

Under this strict kind of confinement, both before and after the marriage; did the fears of Bothwell keep the unhappy Queen: the fullest evidence in the world surely, of her innocence; so full indeed, that I hope I may be allowed to parody these well-known lines of Shakespeare, and to say,

That had not Heav'n for some strong purpose *seal'd*
 The *eyes* of men, they must perforce have *seen it*,
 And *Robertson* himself have *cleared* her.

But upon the 14th of May he brought her before the council. A marriage-contract was there signed by them both. A copy of it was ordered to be registered, in the books of council and of session. And the next day they were married †.

SECTION

* Keith, 418, and Pref. xi. † Goodall, ii. 57—61, and Appendix, N^o x. Let me here observe, that the fact of the RAPE has now appeared successively asserted, by Buchanan, by the Queen, by Melvill, by the rebel sonnets, and by the rebel memorial; and yet that in a period of our history so read, examined, and canvassed, this the grand incident of Mary's life, which alone can account for some striking parts of her conduct, has never before been introduced into the history of her life, and never before made the ground of any critical vindication of her. And I cannot but subjoin to this observation, an ex-

SECTION II.

WHEN he had previously gained her promise to marry him, then probably he permitted her to summon a privy council, and to hold it within the castle of Dunbar. Such a council appears to have been actually convened there, upon the 29th of April.

tract from my previously-mentioned reply to Lord Hailes's letter.

“ You beheld the lines in the sonnet, that proclaimed the
 “ rape loudly. You even cited one of the strongest confirma-
 “ tions of the fact, that is possible to be given. You cited
 “ these very words of Melvill: “ the Queen could not but
 “ marry him, seeing *he had ravished her, and lain with her*
 “ *against her will.*” Yet, after all, did you admit the fact?
 “ No! You turned the rape into a seduction. You turned
 “ the very authority, which told you of the sexual intercourse,
 “ and which told it in such a manner as fully to justify Mary,
 “ into evidences *against* her, into proofs of her *weakness and*
 “ *wickedness*. This is such an instance of mental infirmity,
 “ as can hardly be exceeded. Yet it was exceeded in Dr.
 “ Stuart. Without your bias of prejudice, and with only your
 “ example before him, he cited the very words of Melvill,
 “ just as you had cited them; and then—he perverted them,
 “ just as you had perverted them before. When I first saw
 “ this clearly in Dr. Stuart, I was perfectly amazed. The
 “ text and the note were in a state of compleat contradiction.
 “ He had also overlooked one of the strongest topicks for the
 “ justification of Mary, that the whole compass of history could
 “ furnish. He had turned it even, into a crimination of her.
 “ And he had adopted all your Lordship's deviousness of con-
 “ duct, without one soliciting reason for so doing. But, had
 “ he lived to see my work, I doubt not he would have been
 “ instantly convinced of his error. And I equally trust, that
 “ I shall

April *. She gave her promise the more readily to him, we must suppose, in order to bring him the more easily to her will in this. She was planning her deliverance by it. Her conduct at the assassination of Rizzio, when she was equally imprisoned as now, and when she lulled her keepers into security by an equally pretended acquiescence in their measures; is the proper illustration of her management, at present. But the same success did not attend her now. She endeavoured probably to enter into private conversation with some of the counsellors, for her rescue. But she would find their zeal for her, all strangely at a stand. Morton, Lethington, and the conspirators with them, if they were there, as there the principals

“ I shall have the honour of making a compleat profelyte of
“ your Lordship in time.”

.

“ Yet, “ a farther difficulty occurs,” you remark; “ how
“ came the enemies of Queen Mary to know of this incident
“ [the rape], so as to insert it in the stanzas?” How came
“ Melvill, my Lord, to know of the rape itself? How came
“ Morton and Lethington, my Lord, to know of it, and of
“ that other circumstance belonging to it, the stupifying
“ draughts? The two latter say, that this “ by many con-
“ jectures may well be suspected.” They had therefore “ many”
“ means of “ conjecturing” it. But they undoubtedly knew
“ it all, from their confederate and their implement, Bothwell.
“ I have accordingly said, that, “ no doubt, they knew it
“ from Bothwell himself, though they could not avow the
“ communication” (iii. 115). And in i. 219 I have given
“ a memorable instance, of their indiscreet readiness to tell
“ their own secrets of villainy with Bothwell, even at the
“ hazard of betraying their own confederacy with him.”

* Keith, 374.

would

would undoubtedly be ; would affect a total indifference concerning her captivity. Huntly, and the royalists, would be too much stunned with the blow struck by Bothwell, with the affected indifference of the others, and with their own confusedness of apprehension concerning the whole ; to be able to exert themselves with vigour. She would therefore derive no hope of rescue, from any of her addressees to either *.

But she would greatly alarm the fears of Bothwell, by all. Her conversation with the conspirators, particularly, would be all betrayed to Bothwell again. And those infernal patrons of the whole wickedness, would turn it all directly against her ; and make it hurry him on with impatience, to the full and final consummation of the enormity.

* This privy council, *of itself*, refutes the idle tale reported by Buchanan, Hist. xviii. 356, by Knox, 405, and by Hume, v. 114, but contradicted in Crawford, 21, and Anderson, i. 97 ; of Mary's nobles *sending* to her at Dunbar from *Stirling*, with an offer of forces to rescue her, if she was detained against her will. The nobles could have offered it *in person*. And her pretended answer appears equally idle ; that, though indeed she had been taken *against her will*, yet she was kindly entreated now. The rebels, in shaping this story, reflected neither on the repugnancies of it to the privy council held at Dunbar, nor on the direct opposition of it to their own assertion, of the whole seizure being merely a collusion between her and him. If she had been seized *against her will*, then their assertion is an absolute falsehood. And thus the unskilful architect of falsehoods

Diruit, ædificat, mutat quadrata rotundis ;

and never builds to any effectual purpose.

He

He determined upon it. Seduction was utterly impracticable. Even *his* sensualized and licentious spirit, had never suggested to him any hope of that. Even his infernal instigators themselves, had never supposed there was a possibility of success in that. His only resource was violence. It was so, at the seizure. It was so, now. He had therefore determined upon a rape, then; and he determined again upon it, at present. Yet how shall he execute even this? HE MUST DEPRIVE HER OF HER SENSES, before he can. He accordingly mixes up his stupifying draughts. He takes advantage of the insensibility, into which he has thrown her. And he perpetrates the execrable deed.

When she awoke to the full perception of the horrible insult, that had been offered her; her indignation broke out in such a high-toned strain of resentment, that he was rendered madly desperate by it, and made a violent attempt upon his own life. He gave himself a severe wound. And he lost a quantity of blood *. Her own life also was in danger, from the violence of her feelings †. At last, a flood of tears relieved her ‡. She was now capable of reflecting upon her dismal situation. It was peculiarly dismal. What shall she do in it? She cannot but abhor the base and brutal villain. Yet how can she now quit him? Her own modesty, her own majesty, and perhaps her own life, require her to smother her resentments. She is humbled enough, to let the last enormity efface the

* Sonnets and Notes before.

† Ibid. *ibid.*‡ Ibid. *ibid.*

first, and to plead its own pardon in its own audacity. She is compelled to determine, however reluctantly, upon taking the wretched ravisher for a husband. And she must be content, to pass the melancholy remainder of her life with a man, whom she at once despises and hates. “Sen it is past, and cannot be brocht bak agane,” after her marriage she says to the King and Queen of France, to whom she wished not to disclose the full extent of her husband’s iniquity; “we will make ye best of it *.”

It was for this reason, no doubt, that he removed her from Dunbar to Edinburgh, on the 3d of May. She had agreed to marry him. And it was requisite, therefore, in common decency, to remove all semblance of constraint, to let her appear to her people as at full liberty, and to show her to them residing again in her palace of Holyrood-house. He set out to conduct her thither. He took not with him his whole force. Some of these he now dismissed, as no longer necessary to his purposes. Of the rest he took only a slight number. Nor would he suffer even these, to carry arms the whole way. They dropped their arms, as they approached the capital †. And “by the way,” say Crawford’s Memoirs, “the Queen *behaved herself to the people*, as that Bothwell was ready to “*put her at liberty again*, according to the duty of “an obedient subject ‡.” He intended it fully. Yet his bad heart, even now, misgave him. He was even still afraid to trust her. So uniformly did he

* Anderson, i. 100.
pendix.

† Keith, 384.

‡ Crawford, 22, and N° x. Ap-

acknowledge her innocence, by his apprehensions ! He knew the villainies which he had committed, in concurrence with Murray, Morton, and Lethington ; the murder of the King, compleated by a rape upon the Queen. He had only her fears and her delicacies yet, betwixt himself and his destruction. He suddenly changed his intention, therefore. At the critical moment, he recoiled from the whole purpose of his journey. He dared not to let her go to liberty and her palace. He resolved still to continue her restraint. And he determined to lodge her in the *castle* of Edinborough, of which he had equally the command as of Dunbar castle. Accordingly, as Crawford's Memoirs again inform us, " at the entry of the tower that leads to the castle ;" at the Netherbow Port, no doubt, then only a gate and gateway, with a tower over them for a porter's lodge * ; to which the road from Dunbar directly led, and at which it ran on the right to Holyrood-house, and on the left to the castle ; " he made " semblance to lead her bridle." As the whole tenour of the story shows, he actually seized her bridle ; turned the head of her horse from the right-hand road, into which he had intended to have gone ; and led her up the High Street of the city, into the castle. " And *sensible* people interpreted " the same, as that he conveyed her Majestie, AS A " CAPTIVE, into the castle ; where a subject of his " was, called Sir James Balfour †." So strongly

* Arnot, 238, and Anderson, ii. 175.

† Keith, 384.

did he express his diffidence and her captivity, on *this* occasion!

Yet no one stirred for her. “At hir going—to
“the castell,” says Buchanan, “throw the cheif and
“maist populous gait [street] of ye towne; thair
“was all the way ane sad glowming silence: and
“quhen ane woman alone of the multitude had
“cryit, *God save the Queen*; ane uther incontinent
“sa cryit out as all men might heir it, *Sa be it to*
“*every ane as thay have deservit* *.” The more
judicious part of the citizens saw plainly, that she
was a prisoner; but never offered to release her.
They were out-numbered by the silly and the pre-
judiced, who, in the cunning and clamour of folly,
asserted boldly; that Bothwell’s taking hold of the
Queen’s bridle was only a “semblance.” And she
was obliged to submit to every insult; to go in at
the only opening that appeared, to liberty and her
crown; and to marry her ravisher and her keeper
in one.

She now, therefore, set herself in earnest to the
work. The day she was brought to Edinburgh
castle, was a Saturday †. On Tuesday she sent
Mr. Thomas Hepburne, a clergyman, with a ver-
bal direction to Craig, the minister of St. Giles’s
conjointly with Knox ‡; to have the banns for her
marriage published by him. Such an annunciation
of an intended wedding, is now confined to the

* P. 85, Anderson, ii. and 266, Jebb, i. † Goodall,
ii. 249—250. ‡ Robertson, ii. 376; Knox, 364; and
Spotswood, 192, edit. 3d.

lowest orders of life among us. But it was then requisite even for kings and queens in Scotland. It had equally been practised, at the union of the Queen with Darnly *. It was to be made the three next preaching-days, which very surprizingly were then Wednesday and Friday, as well as Sunday †. But the minister properly refusing to take a *verbal* order, in so important a business; upon Wednesday the Queen sent him a written direction, as she had equally done at Darnly's marriage; and equally subscribed it with her own hand. The divorce was pronounced that very morning, in that very church, and therefore before the service began. For this reason, Craig did not object to the publication upon that account. He had another scruple. He must now consult the kirk, before he published the banns. He therefore omitted the publication that day. The next he consulted the kirk. The kirk consented to the publication. He accordingly published them for the first time, on Friday May the 9th ‡. Yet even then Bothwell would not venture, to give her her liberty. And he still kept her in the castle. So diffident was he of her still!

The minister again published the banns, on Sunday May the 11th ||. Bothwell then, and not till then, took courage to execute his purpose of

* Keith, 304. † Yet so they seem also to have been in England, from Forbes, ii. 181. ‡ Robertson, ii. 450, and Anderson, ii. 279. The rebel journal therefore is mistaken in saying the banns were published the "nixt Sunday" after May the 3d. || Anderson, ii. 280.

Saturday, May the 3d, before. He brought her out of the castle, the next day. But, even then, he carried her before the court of session, in the Tolbooth of the city. She there declared her anger at Bothwell, for seizing and detaining her person, to be past; expressed her forgiveness of the offence; avowed herself to be *now* at her freedom and liberty; and intimated her design, to promote the Earl to some additional honours*. And she was then permitted by him, to go to her palace. So steadily and resolutely suspicious was he, of her hatred for him, and of her aversion to a marriage with him; that even after the brutal indignity offered her, after her promise of marriage in consequence of it, after she had ordered the banns to be published by a note under her own hand, and after the banns had been actually published no less than twice; he durst not suffer her to leave the castle, and reside in her palace, however necessary it was to his own schemes; until he had bound her up by a formal declaration of forgiving him, and by a formal intimation of promoting him, before some of the principal persons of the kingdom, and in the presence of a court of record.

He, even then, accompanied her to her palace. He also kept his guard of harquebuziers about her, there. He thus maintained a regular consistency of jealousy, as long as he could possibly show it. Two days afterward the minister published the banns, for the third and last time†.

* Goodall, ii. 242—243.

† Anderson, ii. 281.

That day, the Queen signed a contract of marriage with Bothwell. And, the very next, they were married.

SECTION III.

DURING this detention of the Queen in Edinburgh castle, a privy council was held there, equally as at Dunbar before. It was held on Thursday May the 8th. Even a second was held there the next day, Friday May the 9th. Bothwell was certainly present at both. Even one was held afterwards at Holyrood-house, on Wednesday May the 14th. And Bothwell was also present at this*. Yet not a counsellor or a citizen, not a man, a woman, or a child, lifted up a single hand to rescue her. She even appeared before the court of session, on Monday May the 12th. There the Earl of Huntly, the Bishop of Ross, the Bishop of Galloway, and the Bishop of Orkney; Gavin Hamilton, commendator of Kilwinning, Sir James Balfour, Sir Richard Maitland, and Sir John Bellenden; secretary Lethington, the Archbishop of St. Andrews, the Bishop of Dumblane, the Earl of Crawford, and the Earl of Caithness; John, commendator of Aberbrothick, Alexander, commen-

* Knox, 406; Anderson, ii. 280, and 281; Keith, 384; and Goodall, ii. 57—61.

dator of Culrofs, Robert, commendator of St. Mary Isle, and treasurer to her Majesty, Lord Seton, Lord Boyd, and the Provost of Edinburgh; were all present. Yet not one of these reached out a single finger to save her, though they saw her floating on the stream, and driving down with the current. Huntly, who must be considered as the head of the loyalists, now Bothwell has gone over to the factious; had been in Edinburgh ever since the seizure, and had actually been holding the court of session there, as if the Queen was at full liberty all the while *.

But that the Queen was all the while under the constraining power of Bothwell, is evident from the whole tenour of the history, and is even acknowledged plainly by the rebels themselves. “James
“ Erle Bothuell,” they say on the 12th of June afterwards, “put violent handes in our Soveraine
“ Ladies maist nobill persoune, upon the 24 daie
“ of April last bypast; and thairafter wardit hir
“ Hienes in the castell of Dunbar, quhilk he had in
“ keiping; and, be a lang space thairastir con-
“ veyit hir Majestie, invironit with men of weir,
“ and sic friendis and kinsmen of his as wald do
“ for him, *evir in sic places quhair he had maist do-*
“ *minioun and power* †.” Even when Craig the minister on publishing the banns, with all the arrogance of vulgarity then prevailing among the ministers, “tuik heaven and erth to witnes, that he
“ abhorrit and deteastit that mariage;” he ac-

* Goodall, ii. 242—243.

† Anderson, i. 131.

knownedged

knowned at the same time, “that the BEST part
“of the realme did approve it, ather be *flatterie* or
“be thair *silence* *.” And “the said Erle” Both-
well, as the rebels additionally inform us in an act
of their own privy council on July the 21st, “—ef-
“ter he had—tresonabilie revefit hir Majesties maist
“nobill persoun, and led hir captive to Dunbar,
“*constrenit hir, being in his bondage and thraldome,*
“*to contract—marriage with him* †.”

The factious nobles were continually urging the
Queen, to the marriage; and the loyal peers stood
by, confounded and mute. “A number of noble-
“men,” says Melvill, “were drawn together in a
“chamber within *the palace*,” and consequently on
or after May the 12th; “where they all subscribed
“a paper, declaring that they judged it was much
“the Queen’s interest to marry Bothwel, he having
“many friends in Louthian and upon the borders,
“which would cause good order to be kept ‡.”
Those, says Lesley, “whereof some are now the ve-
“hement and hotte fault-finders, and most earnest
“reprovers and blamers of the said pretended ma-
“riage; were then the principal *inventers, prac-*
“*tisers, persuaders, and compassers* of the same.
“*They* procured a great part of the nobilitie, to
“solicite the Queene to couple herself in marriage
“with the said Earle ||.” And Cecil, who was
privy to all the plans of that rebellion, which
was now in its very moment of projection, says
expresly in a letter so late as the TWELFTH of

* Anderson, ii. 280.

† Ibid. i. 142.

‡ P. 80.

|| P. 26.

May: "the Queen of Scots, I think, will be "WOED to marry the Earl Bothwell *." So necessary was it to *woo* and to *constrain* the Queen into the marriage; even at the very last! Such also was the steady perfidy and hellish hypocrisy, of the conspirators in the work! They were earnestly pressing the Queen to that marriage, which they were intending to make the very instrument of her ruin. They were in the mean time preventing the royalists from coming forward to stop it, by the surmise of a collusion between the Queen and Bothwell. This calumny made a deep impression for the time. The honest part of the nation *now* believed all, that the knavish suggested. They believed, even though they *saw* to the contrary. They discredited the testimony of their own senses, and listened to the voice of rumour. They *could not but see* the violence offered to their Queen, yet they were taught to consider it as all artifice. For fear of being imposed upon by a *real* cheat, they allowed themselves to be deceived by a *pretended* one †. And, all the while, Bothwell was "constraining her, "being in his bondage and thralldom, to contract "marriage with him."

The Queen was thus forced into his arms. Every thing co-operated to force her. That dreadful deed of degradation to the honest pride of woman, first reduced her to a level with him. Her total inability to rescue herself from the toils, in which she had been so wretchedly entangled; her repeated

* Cabala, Part 1st. 127.

† Keith, 383.

proofs, of the general indifference of her subjects to her fate; the horrible perfidiousness, of the only part of her nobles who spoke to her upon the subject, who urged and urged her to the fatal precipice, “who smiled and smiled, and yet were villains;” and the violent driving of Bothwell, under whose guard of harquebusiers she was continually kept, “as well day as night, wherever she went:” all impelled her forwards with him, beyond her power to struggle effectually against it. And all the while she had a principle of wounded delicacy in her breast, that was perpetually betraying her from within, while she was thus assaulted from without.

To such an humiliation indeed was she reduced by all, that she was not even married to Bothwell in the only form, which could be agreeable to her conscience or her prejudices. She had been married in the POPISH manner to Darnly; though Darnly was equally a Protestant with Bothwell*, was of the blood

* Melvill, 56, and 57. The main passage in Melvill, indeed, hath been opposed by both Keith (278) and Guthry (Scotch Hist. vi. 258); upon that full persuasion which hath prevailed among all our writers, of Lenox and Darnly being Papists. But, as the passage in 57 shows the other in 56 *not* to be mis-printed, which is Guthry's supposition; so facts and papers prove both to be true. On November 7, 1564, Randolph inveighs against Darnly as a Papist (Keith, 261). But, on December 2d afterwards, he only “suspecteth his religion” (Keith, 268). And, on February 9, 1565, he adds exactly in the same strain, that “it is suspected—his religion is Popish” (Keith, 269). Darnly therefore, we may be sure, was what

blood royal of England and Scotland, and the very choice of her heart. Yet she was married in the PROTESTANT manner to Bothwell. "The marriage," says Melvill, "was made at the palace in "Holyrood-house, after sermon, by Adam Both-
 "wel Bishop of Orkny; in the great hall where
 "the council useth to sit, according to the order
 "of the Reformed Religion, and not in the chapel

Melvill represents him, professionally a Protestant. Yet on March 20, 1565, Randolph calls him expressly a Papist (Keith, 271). But on May 1st, 1565, the privy council of England, objecting to Mary's marriage with Darnly, say not a word of his being a Papist (Keith, 274—275). Even Randolph himself, on July 19, 1565, comes back once more from his certainties to his suspicions. "Becawse my Lord Darlye," he says, "wolde seeme to be indifferente" to Popery or Protestantism, "sometyme he goethe wyth the Queen to the masse, "and these two laste dayes hathe byne at the sermons: yt is
 "also sayde, that she wyll be mariede with a minister, whearof
 "I do dowte" (Keith, 301—302). Randolph repeats the same nearly, on July 31st, 1565. "He," Darnly, says the embassadour, "would now seem to be indifferent to both the religions,
 "she to use her masse, and he to come sometimes to the preaching:
 "they were married with all the solemnities of the Popish time,
 "saying that *he heard not the masse*" (Robertson, ii. 347). He was therefore a Protestant by profession. Nothing less than Protestantism, could have induced him not to stay at the mass with the Queen, on the day of the marriage. And Knox says in the end of 1565, that the Papists "knew the King to be of
 "thair religioun, as weill as the Quene with some part of the
 "nobility; who, *with the King, efter declared thamselves open-
 "ly*" (Knox, 390). He therefore was *openly* a Protestant before. He accordingly banded with Murray, &c. to establish Protestantism in Scotland (Keith, App. 121). And his father appeared as a Protestant, for all the rest of his life.

" at

“ at the mafs, as was the King’s marriage *.” Her prejudices, her pride, and her confcience, muft all have revolted at this. But her ravifher and her tyrant infifted upon it. And ſhe was obliged to comply. He infifted upon it, to pleaſe thoſe whom he knew to be confidered, as the leaders and the protectors of the Proteſtants ; by whom principally his bond had been ſigned, and by whom peculiarly his marriage was to be fortified. “ He hes finalie
 “ *drevin* us to end ye work begun,” Mary herſelf complains, “ at ſic tyme, and IN SIC FORME, as *he*
 “ *thocht mycht beſt ſerve his turn* ; quhairin we can-
 “ not diſſembill yat *he hes uſit us uthewayis, yan*
 “ *we wald have wiſſit, or zitt have deſerved at his*

* P. 80. See alſo Spotswood, 203. The rebel journal is wrong therefore, which ſays “ thay wer publicklye mareit efter
 “ baith the fortis of the kirkis, reformit and un-reformit.” So alſo is the rebel bond of aſſociation on June 16, 1567, which ſays the marriage was “ accompliſhit on baith the faſ-
 “ chionis” (Anderson, i. 136). Yet on theſe authorities Dr. Robertson, i. 410, and even Dr. Stuart, i. 222, have aſſerted the marriage to have been made in the Popiſh as well as the Proteſtant manner, *privately* in the Popiſh manner, and *publickly* in the Proteſtant. But they thus contradict their principal authority directly. The rebel journal affirms the Queen and Bothwell, to have been “ *publicklye* mareit efter *baith* the
 “ fortis,” &c. Nor can any one tell, *when, where, or by whom*, the Popiſh marriage was made between them. Melvill’s account indeed *precludes* it. And the Queen’s own intimation, produced immediately in the text, concurs with Melvill’s to ſhow it all a fiction. The Queen even ſhows it to be a fiction, in her addreſs read and proclaimed at the head of her army, on the 14th of June 1567 ; when ſhe avers, that “ all the
 “ world knew her marriage” with Bothwell “ was contracted
 “ and ſolemnized *publickly*.” Crawford, 33.

“*hand*; having mair respect to *content* yame BY
 “QUHAIS CONSENT GRANTIT TO HIM BEFOIR-
 “HAND HE THINKS HE HES OBTENIT HIS PUR-
 “POIS,—yan *regarding oure contentatioun*, or zit
 “*weying qubat wes convenient for us*, yat hes bene
 “norissed in oure awin *religion*, and nevir intends
 “to leif the *samyn* for him or ony man upon
 “earth*.” So much did he, *who knew best*, at-
 tribute the execution of the bond to the patrons of
 the Protestant party in the kingdom! So very de-
 sirous also was he to gratify them, as to gratify
 them in the very moments of his marriage with
 the Queen, and even to gratify them by putting a
 violence upon the Queen’s prejudices, and by ap-
 plying a torture to the Queen’s conscience! And
 so greatly sunk was the Queen from all the happy
 dignity of her former days, by the infamous bru-
 tality of this Protestant wretch, and by the infamous
 confederacy of all the Protestant wretches with him;
 as to be obliged to suppress her feelings, to subdue
 her prejudices of education, and to trample upon
 her principles of religion, at the close of all!

All this serves to show us at once the moral and
 the natural impossibility, of Mary’s writing the son-
 nets to Bothwell at present. Her aversion to the
 marriage, so fully evidenced by herself, and so
 strongly reflected in the suspicious activities of his
 conduct; could not admit one particle of that af-
 fection for him, which is expressed in the sonnets.
 And during the whole of this awful period, which

* Anderson, i. 99.

was pregnant with misery to Mary, to Mary's friends, and, by a happy addition, to Mary's enemies too; Bothwell was *not* absent from her, and she *could not* and *would not* write the sonnets to him.

When therefore do those impossibilities cease, and this absence begin? The moral impossibility never ceases. It is as strong after marriage, as before. It is even seemingly stronger. Bothwell had forced the Queen, in spite of all her averfions and resentments, to marry him, to marry him at his own time, and to marry him in his own manner. His proud soul, which could stoop to seize the Queen in order to ravish her, and actually ravished in order to marry her; grew indignant when the marriage had been celebrated, to think force had been necessary to bring her to it. He therefore rose upon her with an elevation of brutishness, very natural to such a soul, after such a marriage with a *Queen*. He behaved with an air of disdainful insolence to her. He even descended to the rudenesses of abusive language towards her. Her fine feelings were dreadfully hurt. Some remaining spirit of her former dignity, struggled with the sense of her present humiliation, in her bosom. A violent conflict took place. And, in one of these paroxysms of perturbation, she was so overborne by insults superadded to insults; that openly, and in the presence of some of her most respectable attendants, she hastily called for a knife to dispatch herself with it; and she vowed to practise some other

other mode of suicide, when she was precluded from this *.

The very rebels themselves have already acknowledged, in their written memorial of July the 20th, 1567, to Throgmorton, then Elizabeth's embassadour in Scotland; that, *after* the marriage, Bothwell kept her "environed with a continual
" guard of 200 harquebuziers, as well day as night,
" wherever she went; that, if any man had to do
" with the Prince, it behoved him, before he could
" come to her presence, to go throughe the ranks of
" harquebuziers, under the mercy of a notorious
" tyrant, as it were to pass the pykes †." But they say the same in their first proclamation of June the 12th. The marriage "being endit," they *then* tell us, "and he still proceeding from an [ane]
" kind of iniquitie to another, his cruell and ambitious nature being knawin, and how na nobil-
" man nor uther durst resort to hir Majestie, to
" speke with hir, to procure thair lauchfull business, *without suspicion*, but *be him* and *in his audience*; hir *chalmers* *duiris* being *continuallie* *watchit*
" *with men of weir*," &c. ‡ They therefore speak on the 12th of June concerning *him*, as "halding
" hir zit in captivitie;" they speak on the 26th concerning *her*, as "continowing still in thralldome
" and bondage under the yoke of that—marriage;" and they declare on the 21st of July and the 16th of June concerning *themselves*, that they took up

* Melvill, 81.

† Keith, 418.

‡ Anderson, i. 136.

arms “to relieve our said Soveranis persoun furth
 “of the *bondage* and ignominy, quhilk, with ye
 “said Erle, under ye pretence of ye said unlauch-
 “full mariage, sche sustenit;” or, in nearly the
 same words, “*to deliver our said Soverane furth of*
 “*his handis*, and of the ignominy, schame, and
 “sklander, quhilk, *being in thraldome with him*,
 “scho has sustenit undir pretence of the said—
 “mariage*.” And they even add on July the 20th
 concerning the *private* part of his behaviour to
 her, that she “should not have lived with him *half*
 “*a year* to an end; as may be conjectured,” they
 say, “by the short time they lived together †.”

So clearly does the history of Mary and of Both-
 well, *before* and *after* their union, and from the *be-*
ginning to the *end* of their connexion, prove the
 connexion to have been a connexion of ambition
 in *him*, and the union an union of violence in *her*;
 in *her* to have been preceded with dislike, to have
 been accompanied with abhorrence, and to have been
 closed with fear, disgust, and hatred! Yet this is
 the woman, whom the letters and the sonnets pre-
 tend to describe, as burning with a phrenzy-fever
 of love for the man! The chemistry of a calum-
 niator can thus extract fire, from the snows of Cau-
 casus. And the fiend of forgery can out-lye all the
 lying chronicles of Ireland,

Quicquid Græcia mendax
 Audet in historiâ.

* Anderson, i. 132, 139, 143, and 137. † Keith, 418.

SECTION IV.

BOTHWELL indeed, *for some time after the marriage*, was *never* absent from Mary. When was he *first* so? We shall soon see, by the light of the journal. This valuable record, which was formed by the rebels for their own support; which has therefore been scouted by the friends of Mary; but which I have rescued from contempt, and turned with efficacy, I think, against the rebels themselves; informs us thus: “May 15th, thay
 “wer publicklye mareit,—and—*remaynit to the 7th*
 “*of June.*” There was no absence then, *before* the seventh of June. Nor can the sonnets, as an epistle addressed to the absent ravisher, be dated sooner. But what occasioned his absence at that time? A military expedition. “June 7,” the journal tells us, “he purposit and rayd against the Lord
 “Howme and Ferneherst, and so past to Melros,
 “and she to Borthwick.” In Borthwick therefore, at this time, and on this separation, we may suppose the sonnets to be pretendedly written. And the sonnets themselves coincide with this. In the 3d, Mary is made to say with allusion to the present expedition, that Lady Bothwell has no fears for Bothwell’s safety; and that she herself is so much afraid of the appearances, as not to be able to take any rest for them:

“Elle de vostre mal n’a l’apprehension:

“Moy je n’ay nul repos, tant je crain l’apparence.”

And

And in the 11th she speaks fully to the point, expressing her apprehensions of some melancholy accident befalling him, and preventing his return to her :

“ Une autre fois je crain quelque aventure,
 “ Qui par chemin destourne mon amant,
 “ Par un fascheux et nouveau accident ;
 “ Dieu, destourne tout malheureux augure !”

We must fix the sonnets, however, a few days after June the 7th ; as she is made to complain in them, of his not having returned on the day he had promised. Yet he returned before the 11th. On that day he appears from the rebel journal, to have been with her in Borthwick. And the 9th or 10th of June can be the only day, in this view of circumstances, to which it is possible for us to assign the sonnets.

Yet, at that time, Mary could be little in spirits to write a poetical epistle to Bothwell, even if her heart had been as full of love, as it was of aversion, to him. A strong ferment of rebellion, was now working in the nation. Mary had condescended to answer the malignant rumours, that were circulated concerning herself, in a proclamation on June the 1st. She had even on May 28th before issued a proclamation, calling many of her military tenants into the field, in order to suppress some commotions in Lydisdale. They were to meet Bothwell at Melrofs, on the 15th of June. And the fidelity of the keeper of Edinburgh castle, began to be suspected.

suspected *. In this critical situation of affairs, Bothwell resolved to go immediately from Edinburgh to Melrofs, and thence to advance upon Lord Hume and Ferniherst; the former of whom was one of the most active of the rebels afterwards, and both must have been raising forces for rebellion at the time. But he durst not leave the Queen behind him, for fear of her aversion to him, of her caballing with the keeper of the castle, and of her uniting with the rebels against him. Such an union would have been a more natural, and a more religious, way of terminating the insults of Bothwell; than a desperate act of suicide. And she accordingly made use of the expedient afterwards, at the very first opportunity that offered.

In consequence of these fears, Bothwell took her with him on the 7th of June, to the castle of Borthwick. He left her there with the garrison, while he pushed on to Melrofs. He meant to have crushed Lord Hume, and his principal adherent Ker of Ferniherst. He found them too strong for him, or he heard of the insurrection behind him. He retreated to the Queen at Borthwick. He therefore returned *sooner*, than he had intended. And the sonnets, which speak of his staying *beyond* his intended time, are historically false.

Lord Hume marched hastily after him, and made a junction with some other rebels. These came up to Borthwick from the suburbs of Edinburgh, which they had entered in arms upon the 10th.

* Keith, 395—397; and Melvill, 80—81.

And both presented themselves before the gates of the castle, early on the 11th; the day after the return of Bothwell probably, and certainly in the darkness of the night. What was then the consequence? Let the rebel journal tell us. "June 11," it says, "the lordis cam suddanlie to Borthwick: Bothwell fled to Dumbar, and the lordis retyrit to Edinburgh: She followit Bothwell to Dumbar disguyfit *." The garrison, to whose care she had been committed, sent a party, no doubt, to conduct her. These, in order to conduct her the more safely through the dubious country, required her to wear a disguise. And was this a time then, amidst distractions and alarms; amidst the dread of rebellions, and the movements of armies; and amidst a chaos of fearful apprehensions, of formidable rumours, and of melancholy realities; for Mary to delight herself, in writing a long and laboured sonnet of twelve divisions?

I nunc, et tecum musas meditare canoras.

* Goodall, ii. 164, and Appendix, N^o x. The rebels on June the 10th entered the suburbs of Edinburgh (Keith, 399); marched from thence in the night of the 10th and 11th to Borthwick castle, eight miles off (398); returned to Edinburgh the 11th; dated their proclamation of the 11th from the suburbs (Anderson, i. 128); forced the gates of the city on the 12th (Anderson, i. 131); and then published their proclamation at the market cross (Crawford, 30). "When at first we came about Borthwick," say the rebels themselves; "—hearing he," Bothwell, "was escaped out of the house, we insisted no farther to pursue the same,—but came *back* to Edinburgh" (Keith, 419). The movements of the rebels and of Bothwell on this occasion, wanted much to be traced with exactness. See also p. 18 of this volume.

Go now, and mount to the mast-head in a storm. There, while the winds are howling loudly about thee, while the ship is rocking violently under thee, and even some of the crew are desperately wielding their axes against the mast itself; sit thou serene above, construct thy stanzas, and ring thy rhymes, into a poem of great regularity and length. And, if thou canst *not* do *this*, thou canst *not* think it possible for Mary to do *that*.

But how wonderfully is all this heightened to the mind, when we take one more view into the state of her spirit towards Bothwell? She must have had the pride of indignation, rising within her at times for the seizure. She must have had the virtue of abhorrence, rankling frequently at her heart for the rape. And she must have felt her whole soul continually on the rack within, from his base and barbarous treatment of her since. Accordingly, Melvill gives us this final account of her regard for Bothwell, in describing the temper of her mind on June the 15th at Carbarrie Hill. "Many of those who were with her" there, he says, "were of opinion, that she had intelligence with the lords," then in arms and facing her; "especially such, as were informed of THE MANY INDIGNITIES, PUT UPON HER by the Earl of Bothwell since their marriage. HE WAS SO BEASTLY AND SUSPICIOUS, that he suffered her not to pass ONE DAY in patience, without MAKING HER SHED ABUNDANCE OF TEARS." So morally impossible is it for Mary, to have written the sonnets *since* the marriage! Even as morally impossible, as to have written

written them *before* it! "Thus," adds Melvill, "part of his company detested him; other part of them believed, that HER MAJESTY WOULD FAIN HAVE BEEN QUIT OF HIM, but thought shame to be the doer thereof directly herself*." She accordingly invited one of the rebel officers, to a parley. She agreed with him, to order Bothwell immediately off the field. She sent that very officer to Bothwell with the order, instead of going and giving it herself. She saw Bothwell departing in consequence of the order, without taking the slightest farewell of him. She then, in the gaiety and gallantry of majesty, reached out her hand to the officer to kiss, as a reward for his little service. And, attended only by one of her ladies, she rode with him, he walking on foot and holding her bridle, directly over to the rebels†. This is the last act, in the train of transactions between Mary and Bothwell. It is a very remarkable one. It receives a strong light from all the preceding. It reflects a strong light back upon them again. And it unites with all, to do what has never yet been done; to set the disposition of Mary towards Bothwell, in its just and proper light; to reduce it from the towering heights of love, at which it has been fixed by the general opinion; to sink it into the very depths of aversion and disgust; and so to

* P. 82. † Melvill, 83; Goodall, ii. 164—165; and that engraving by Vertue from original pictures, in Kensington palace and at the Duke of Richmond's, of which I have given an account before, i. 4. 2.

prove the forgery of the sonnets, to the conviction of every mind.

SECTION V.

THUS replete with evidence against the sonnets, is the frantick love of Mary, and the asserted absence of Bothwell, in them! But, what is perhaps more extraordinary still, the æra of Bothwell's absence is not the only date, assigned by the sonnets for their own origin. They have equally assigned a second, and a different one. They have even assigned a third, very different from both. And the contradictoriness of all the three, unites with the absurdity of all, to make them so many demonstrations of the spuriousness of the sonnets.

Though the absence of Bothwell forces us forward to the 9th or 10th of June, yet another circumstance carries us back to the 1st or 2d of May. The Queen in sonnet 3d expressly declares, that she was not then *married* to Bothwell, and that Lady Bothwell was *still* his *wife*.

“ Elle, pour son honneur, vous DOIT obeïssance :

“ Moy vous obeïssant, j'en puis recevoir blasme,

“ N'estant, a mon regret, COMME ELLE, vostre

“ FEMME.”

This is very peremptory. The marriage had not yet

yet taken place, which took place on the 15th of May. The divorce had not yet been pronounced, which was pronounced, at Bothwell's suit on May the 7th, and at his Lady's on May the 3d. Accordingly Buchanan says, as I have noticed before, that the sonnets were written by Mary to Bothwell, "befoir hir marriage with him, and—befoir his divorce from his wyfe." And, from this note of time, we cannot date the sonnets later than the first or second day of May. Then, little more than a week had passed since the seizure of the Queen. Yet in this week, according to the sonnets, the Queen had been carried to Dunbar, and courted by Bothwell; had refused him, made him desperate, and been ravished by him; had subdued her sensibilities at the barbarous and horrible outrage, and conquered her abhorrence of the brutal perpetrator of it; had even turned her hatred into love, grown desperately fond of him, fancied him absent while he was actually present with her, fancied a promise of return in him when he had never gone away, and written and sent to him a long and particular history of her love, when all the while he was with her in the very castle, and perhaps in the very room.

But there is another circumstance in these sonnets, which carries us back even still farther for the date of them. Lady Bothwell is represented as endeavouring *to draw Bothwell off from Mary*, as having therefore written some flourishing letters, and as pretending a very great regard for him. Yet, by the rebel journal, Lady Bothwell actually

subscribed a procuratory on the 5th of April, 1567, for commencing a suit of *divorce* against him *. This suit she prosecuted very rapidly. On the 26th of April, two days after Bothwell's seizure of Mary, a precept was issued by the commissaries of Edinburgh, for the appearance of Bothwell on the 29th. He appeared by his proctor accordingly, on that day. Her proctor then "took the oath "de calumniâ," to show "he had just caus to pursue the said action." He afterwards "took the morne, the last day of Apryll, to prove the same pro primâ." He appeared that day, "produced some witnesses" of Bothwell's adultery with one of her maids (so profligate was he!), and "took the next day, being the 1. of May, to do farther diligence." Upon the first of May "he produced some more witnesses, and renounced farther probatioune." But "he desired a term to be assigned, to pronounce sentence." Accordingly "the said commissars assigned Satterday next, the 3. of May, to pronounce sentence therein, secundum alligata et probata." And sentence "was given that day, in favour of the persewar," Lady Bothwell †. Yet in the sonnets she is represented, as trying all her address to win Bothwell from Mary. The period of the sonnets, therefore, must be prior to the date of the procuratory. After that, she could have no thought of drawing Bothwell off. Indeed she so little thought of it in fact, that she was continually and eagerly pushing

* Appendix, N° x.

† Ibid. and Robertson, ii. 449—450.

on the suit of divorce. And the sonnets are thus dated before the letters from Stirling, and as early at least as the 4th of April, 1567.

Thus are we beaten backwards and forwards, by the reverberatory evidence of the sonnets.

Modó me Thebis, modó ponit Athenis.

We have no rest any where for the soles of our feet. And the cause of all is this.

When forgery sat down to its grand operations ; when

The Genius and the mortal instruments
Were all at work,

to produce their horrible train of machinations against Mary ; the design was to be as successful over her by fictions, as they had been over Bothwell by truths. In all their papers at first, they had vented their malice against *him* alone, as guardians for their Queen, and as champions for her son. But as soon as this was done, and the imbecility of un-supported guilt sunk before them, they then turned all their batteries upon innocence. They took advantage of that very connection of hers with guilt, which they themselves had recommended to her, and had united with this guilt to force upon her. They called up all the Fiends of Hell, as I have formerly observed, to assist them in their counsels. They adopted all the suggestions of Hell, in the execution of them. Bothwell, whom they had execrated before as a monster in impiety, as the murderer of Darnly and the ravisher of Mary ; was now to be rendered important at

her expence, as pestered by her love, and overpowered by her fondness. He was to appear indifferent to her regard. She was to appear wanton in her advances. He was even to consider her, as a woman of no judgment. And the amiable, the religious, and the accomplished Mary, for whom they had taken up arms against Bothwell, to free her person from his harquebusiers, and to dissolve her forced marriage with him; was to be involved in all his criminality; was to suffer for that murder and that rape, to which *they* had stimulated him, and by which *she* had been so dreadfully injured before; and was even at last to be degraded under the very feet, of this their executioner and their hangman in villainy. With this view they wrote the letters, they drew up the contracts, and they composed the sonnets. The particular design of the last, was to continue the fictitious tale of the first, to exhibit the same fever of love in Mary as they do, and to show her in the same frenzy of attachment to the very last. But, in order to do this, they *could* not confine themselves within the compass of historical dates. They were obliged to burst the narrow sphere of history. They must enlarge the visit at Glasgow. They must lengthen the stay at Stirling. They must extend the captivity in Dunbar and Edinburgh castles. And they must extend the last particularly, into a most immeasurable length.

That abhorrence for the ravisher, which the dignity of delicacy, the pride of admiration, and the elevation of royalty, must have all united to fix
deep

deep in the bosom of Mary; was to go off by degrees, under the effacing hand of time. Even a new spirit was to rise in its place. Esteem was to succeed abhorrence. Affection was to be founded upon esteem. And this was to be fomented into love, to be kindled into passion, and to blaze out into a wild extravagance of both. To do this with any propriety at all, and to prevent the forgery of the facts from staring full in the face of credulity itself; the short line of chronology was to be abandoned, the latter half of May was to be intercalated at the beginning of it, the first week in June was to be subjoined to the end of April, and indistinct intimations were to be given, of a still larger period intervening between all.

But, by thus endeavouring to give some air of nature and probability, to the monstrous incredibility of their fictions; they betrayed the fabrication of the whole at once. They laid themselves open to a more obvious detection, than what they were aiming to avoid. Nature may frequently be violated with impunity. Chronology seldom can. Numbers cannot well determine, in the strange excentricity of the human passions; what is absolutely incredible concerning them, and what is not. But all can tell, when an asserted incident is shown to be contrary to an historical date. And by a stroke of infatuation which cannot be too frequently noticed, for fear lest, in the minuteness of these events, other records should fail us; the rebels themselves supplied us with a long and particular

journal, to show us the true dates of facts, and to expose their own falsehoods by the light of it.

By this, peculiarly, have the sonnets and the letters been shown to be spurious. The makers of them, have broken through all the barriers of *their own* history. They have started aside from the orbit, of *their own* chronology. They have taken a flight beyond the bounds of *their own* creation, have ranged into the chaos of fiction and absurdity without, and placed themselves conspicuous in THE PARADISE OF FOOLS there. And, what forms a very singular conclusion to the whole, as the letters and the sonnets respectively have thus betrayed *themselves* to be forgeries, so have the sonnets additionally exposed the forgery of the *letters*, in the fullest manner.

CHAPTER THE FOURTH.

I HAVE now laid open the spuriousness of the sonnets and of the letters, I trust, with an overpowering lustre of evidence. I shall therefore pass immediately to the contracts. These are the only part of the principal forgeries, which have not yet undergone an internal examination. They equally invite the eye and knife of the historical anatomist. They will equally be found diseased under them. And I hope to read a lecture over them, of equal power and utility with any that I have read before. It will, at least, be proportioned in its power to the lower degree of impudence, with which these additional forgeries have thrust themselves into the eye of the world; and, in its utility, to the inferior spirit of malignity, with which they have presumed to set themselves against Mary. It will thus be equally decisive in the scale, against them. A lighter weight requires only a lighter hand, to overbalance it. In order to show them truly light in the balance, I shall lay the contracts themselves, as I have laid the letters and sonnets, before my reader. I shall then produce that real contract,

*
of

of which the others are mere mimickries ; but mimickries drest up in the garb of mischief, and calculated to impose themselves upon mankind for the other. The shade has thus presumed to arrogate to itself, all the consequence of the substance ; even to step before it in dignity ; and actually to pass itself off upon the weakness of credulity, for the substance itself. And I shall endeavour to show them as they really are, to my reader.

SECTION I.

THE FIRST CONTRACT OF MARRIAGE PRODUCED
BY MURRAY *.

“ Nous Marie, par la Grace de Dieu, Royne
 “ d’Escoffe, Douaryere de France, &c. promettons
 “ fidellement, et de bonne foy, et sans contraynte
 “ (1), a Jaques Hepburn Conte de Boduel, de
 “ n’avoir jamays autre espoux et mary que luy, et
 “ de le prendre pour tel, toute et quant fois qu’il
 “ m’en requerira, quoy que parents, amys, ou au-
 “ tres, y soient contrayres. Et puis que Dieu a
 “ pris mon feu mary Henry Stuart dit Darnlay (2),
 “ et que par ce moien je sois libre, n’estant soubs
 “ obeïssance de pere, ni de mere (3) ; des maynte-

* Now in the Cotton library, Caligula, C. i. f. 202 ;
 Goodall, i. 126, and ii. 54.

“nant je proteste, que, lui estant en mesme liberté
 “(4), je feray preste, et d’accomplir les ceremonies
 “requises au mariage: que je lui promets devant
 “Dieu, que j’en prantz a tesmoignasge, et la pre-
 “sente, signée de ma mayn (5). Ecrit ce (6)”

“MARIE R.”

(1) This stroke betrays the period, for which the contract was originally calculated. It was calculated for the time of Mary’s confinement in Dunbar and Edinburgh castles. At no other period, could there be the slightest reason for intimating, that she did *not* enter into the contract *by constraint*. Accordingly, the *real* contract carries no such intimation in it. And she actually gave Bothwell a promise of marriage, as I have shown before, during her confinement at Dunbar.

(2) This shows the contract to have been made *posterious* to the murder of Darnly. Yet Buchanan, with an amazing *sang froid*, intimates it to have been *prior*. He even does so, in an *expressed* opposition to these very words, and yet without *adducing* any proof against them: “Quhilk wryting, being
 “without dait, and thocht [though] *sum wordis*
 “*thairin seme to the contrarie*, zit is upon *credibill*
 “*groundis* supposit to have bene maid and writtin
 “be hir, *befoir* the deith of hir husband*.” So freely could these forgers contradict and oppose

* Anderson, ii. 92.

their own evidences, in their eagerness to calumniate Mary! And, as I hope I may say without offence, *hath not the potter power over the clay?*

(3) This seems to speak the formal language of the law, and so to coincide with the chancery hand of the original. Mary, writing the contract herself, could never have thought of such a mere impertinence, as to assert she was not under obedience to father or to mother. Nothing, but the customary comprehensiveness of the law, could have suggested the words.

(4) This hints at the intended divorce of Bothwell from his wife; and so unites with the constraint denied before, to date the contract in April, 1567.

(5) This concurs with the legal turn of the contract, to show it was written by some lawyer, and only subscribed by Mary.

(6) This however contradicts both, and asserts the contract to have been written, as well as subscribed, by Mary. It *was* so, when shown at York. It was *not* so, when given to Cecil. The *aspect* of the contract itself, shows it only to have been pretendedly subscribed by Mary. And the *language* of the contract, asserts it to have been only subscribed, and yet avers it to have been also written by her. So thoroughly are the two plans incorporated together!

SECTION II.

THE SECOND CONTRACT OF MARRIAGE PRODUCED BY MURRAY *.

(1) “ At Setoun, the v. day of Apryll, the zeir
 “ of God 1567, the richt excellent, richt heich and
 “ michtie Princes, Marie, be the Grace of God,
 “ Quene of Scottis; considdering the place and es-
 “ tait quhairin Almighty God hes constitute hir
 “ Heichnes, and how, be the deceis of the King hir
 “ husband, hir Majestie is now destitute of ane
 “ husband, leving solitarie in the stait of wedow-
 “ heid; in the quhilk kynde of lyfe hir Majestie
 “ maist willingly wald continew, gif ye weill of hir
 “ realme and subiectis wald permit; bot, on the
 “ uther part, considdering the inconveniencis may
 “ follow, and the necessitie quhilk the realme hes,
 “ yat hir Majestie be couplit with ane husband;
 “ hir Heichnes hes inclynit to mary. And séing
 “ quhat incommoditie may cum to this realme, in
 “ cace hir Majestie fuld joyne in mariage with ony
 “ forane prince of ane strange natioun; hir Heich-
 “ nes hes thocht rather better, to zeild unto ane of
 “ hir awin subiectis; amangis quhome, hir Majestie
 “ findis nane mair abill, nor indewit with better
 “ qualiteis, then the richt nobill and hir deir coufing
 “ James Erle Bothwell, &c. of quhais thankfull

* Buchanan's Detection, 93—96; Anderson, ii.

“ and

“ and trew service hir Heichnes, in all tymes by-
“ past, hes had large prufe and infallibill expe-
“ rience. And séing not only the same gude mynd
“ constantly persevering in him, bot, with that, ane
“ inward affectioun and hartly lufe towardis hir
“ Majestie ; hir Heichnes, amangis the rest, hes
“ maid hir chose of him : and thairfoir, in the pre-
“ sence of the eternall God, faithfully, and in the
“ word of ane prince, be thir presentis, takis the
“ said James Erle Bothwell as hir lawfull husband ;
“ and promittis and oblisis hir Heichnes, that how
“ sone ye proces of divorce, *intentit* betwix ye said
“ Erle Bothwell and Dame Jane Gordoun, now his
“ pretenfit spous, beis endit be the ordour of ye
“ lawis, hir Majestie fall, God willing, thairefter
“ schortly mary and tak the said Erle to hir hus-
“ band, and compleit the band of matrimonie with
“ him, in face of haly kirk, and fall never mary
“ nane uther husband bot he only, during his lyfe-
“ tyme. And as hir Majestie, of hir gracious hu-
“ manitie and proper motive, without deserving of
“ the said Erle, hes thus inclynit hir favour and
“ affectioun towardis him ; he humblie and reve-
“ rentlie acknowlegging the same, according to his
“ bound dewtie ; and being als fré and abill to mak
“ promiseis of mariage, in respect of the said proces
“ of divorce, *intentit* for divers ressonabill causis,
“ and yat his said pretenfit spous hes thairunto
“ consentit ; he presentlie takis hir Majestie as his
“ lauchfull spous in the presence of God, and pro-
“ mittis and oblisis him, as he will answer to God,
“ and upon his fidelitie and honour, that, in all di-
“ ligence

“ ligence possibill, he fall profecute and set fordwart
 “ the said proces of divorce, *alreddy begunne and in-*
 “ *tentit* betwix him and the said Dame Jane Gor-
 “ doun, his pretensit spous, unto the fynall end of
 “ ane decreit and declarator thairin: and incon-
 “ tinent thairefter, at hir Majestie’s gude will and
 “ plesure, and quhen hir Heichnes thinkis conve-
 “ nient, fall compleit and solemnizat, in face of
 “ haly kirk, ye said band of matrimony with hir
 “ Majestie; and lufe, honour, and serve hir Heich-
 “ nes, according to the place and honour that it
 “ hes pleisit hir Majestie to accept him unto, and
 “ never to have ony uther for his wyfe during hir
 “ Majesteis lifetyme. In faith and witneffing
 “ quhairof, hir Heichnes and the said Erle hes
 “ subscrivit this present faithfull promeis with yair
 “ handis, as followis; day, zeir, and place foirfaidis;
 “ befoir thir witnes, George Earle of Huntly, and
 “ Maister Thomas Hepburne, persoun of Auld-
 “ hamstock (2), &c.

“ MARIE R.

“ JAMES Erle BOTHWELL.” (3)

(1) That Murray produced this contract at
 Westminster as well as at York, is plain. “ Thear
 “ was also a contract shewed unto us,” say the
 commissioners at York, “ signed with the Quene’s
 “ hand, and also with Bothwell’s, bearing date the
 “ fifth of Aprill,” &c. There was also “ produced,
 “ read,

“read, and viewed,” says the privy council on December 15th, “the original writing, supposed
 “to be written by the Erle of Huntley; being
 “a contract of mariage betwixt the Quene and
 “the Earle Bothwell, dated at Seaton the 5th of
 “Aprill,” &c. Yet it is not noticed by the commissioners at Westminster, as then received by them. What they received on the 8th of December, is said by themselves to be, “seven several wrytings
 “wrytten in *French*, in the lyke Romain hand” as the Queen’s. But this contract was not in French, and is not written in a hand like the Queen’s. It is in English, and pretends to be penned by Huntly. When then was it delivered? The privy council shall tell us, though the commissioners do not. It was delivered on the 7th. “The true
 “copy wherof,” says the journal of the council,
 “is amongst the things exhibited the 7th of December*.”

(2) This very person, who was parson of Auldhamstock, a part of Bothwell’s estates, sued out the commission for Bothwell, in his cause of divorce against his lady †. He then went to Craig the minister, with a verbal notice for publishing the banns ‡. For these and perhaps other services, he was by Bothwell’s interest created Master of Requests ||. But he was, what few of Bothwell’s followers were, faithful to his patron and his Queen in their hour of adversity. He helped to keep the

* Goodall, ii. 141, 257, 235, and 257.
 Peerage, 86, and Robertson, ii. 450.

279. || Keith, 387.

† Douglas’s
 ‡ Anderson, ii.

castle of Dunbar, on the flight of Bothwell and the imprisonment of the Queen *. He even attempted to surprize Dunbar for her afterwards, on her escape from prison †. All unites to account, for his being made a witness by the rebels here. And the reason for dating the contract at *Seton*, and on the *fifth* of April, was; that a privy council was held on the fifth at Seton, and a proclamation issued concerning the comptroller ‡.

(3) Buchanan has made a remark upon this contract, which shows him to have *not* been in the secret of its forgery, and so unites with what I have observed before to prove; that even the most trusty retainers to Murray knew only *parts* of the general villainy, some of them probably one part, and some another; and that the *vast whole* was grasped only, by the comprehensive spirit of Murray himself, &c. “It appeiris,” he says, “be the wordis of the contract itself, that it was maid befor sentence of divorce betwix Bothwell and his former wyfe; and als wa *in verray treuth was maid, befor ony sute of divorce intentit or begune* betwene him and his former wyfe, thocht [though] sum wordis in this contract seme to say utherwyfe. Quhilk is thus provit: for this contract is daitit the v. of Apryll; and it plainly appeiris be the judiciall actis, befor the twa severall ecclesiasticall ordinarie judges, quhairin is contenit the haill proces of the divorce betwene the said Erle and Dame Jane Gordoun his wyfe, that the ane of the same

* Keith, 455.

† Ibid. 473.

‡ Ibid. 374.

“ processis was intentit and begune the xxvi. day
“ of Apryll, and the other the xxvii. *.” That
Buchanan should convict one of the criminating
evidences against Mary, very clearly of forgery;
is certainly a very singular phænomenon in itself.
Yet such is the fact. He has here produced a
principle of detection, which shows the contract to
be absolutely spurious. He did not intend to do
this. But he has done it. At the date of the
contract, April the 5th, the divorce is said by the
contract itself, to have been “alreddie begune.”
Yet it was not begun, says Buchanan, before the
26th of that month in one of the courts, and be-
fore the 27th in the other. This is a decisive
evidence of forgery. The contract was evidently
not written, till some considerable time after the
date; till the exact remembrances of dates, were
confounded in the memory of the writer; and till
the forgery and the truth, the real and the pretended
dates, were struggling within him for superiority;

Till gods met gods, and jostled in the dark.

And, thus both obtaining an influence over him,
he fixed the day from the forgery, and he inserted
the fact from the truth.

But Buchanan is not the only rebel, who has
produced this principle of detection against the
contract. Mr. James Macgill, and Lethington
himself, have with an equal unwittingness pro-
duced it; and so have shown themselves with an
equal clearness, to be *not* in the secret of its for-

* Anderson, ii. 96.

gery. At the conference in York, “the Lord of
 “Lethingtoun, James Makgill, and Mr. George
 “Boqwannan, and another, being a lord of the
 “session,” showed this contract to the English
 commissioners; “which contract beareth date,”
 say the commissioners from the rebel instructions,
 “—*before* the proceffe of divorce *began* between
 “Bothwell and his wief, which was not begunne
 “before the first of May *.” This is exactly the
 argument of Buchanan himself, against the con-
 tract. It was meant to operate, as a powerful piece
 of artillery against Mary. And it recoils back with
 an overbearing force, upon her assailants. The
 contract beareth date the 5th of April, and yet men-
 tions the suit of divorce to be “alreddie begunne”
 between Bothwell and his wife. But, as these un-
 intentional exposers of the forgery very justly assert,
 the suit was *not* begun *then*, and was *not* begun till
many days afterward.

It was not begun, says Buchanan, till the 26th
 and 27th. For this he *cites* the “judicial actis,
 “befoir the twa severall ecclesiasticall ordinarie
 “judges.” But these do not prove the days al-
 ledged. These show the suit to have begun on
 the 29th of April in one court, and on the 3d of
 May in the other †. Yet the rebel journal agrees
 with Buchanan. And the journal was undoubtedly
 the authority, to which he *meant* to refer, and *dared*
 not to appeal. This states the two “precepts of
 “partising” in the cause, to have been issued on

* Appendix, N° v.

† Robertson, ii. 449—450.

the very days, upon which Buchanan avers the cause to have begun, the 26th and 27th of April *. The cause, however, was not begun, says the same Buchanan at York, as acting in concert with Lethington, Macgill, and another, “before the first of May.” So different were the accounts of the rebels at different times ! We have seen the same contradictoriness before, concerning the *continuance* of the same cause. And it is useful to mark all their variations, as they come in an endless succession before us. But all these varying dates, at present, unite to prove the forgery of the contract. On whichever of the days the suit began, it certainly began *after* the date of the contract. On any of the days, the forgery is very apparent. And it is equally apparent, that the fact of the forgery was not known to Buchanan to Macgill, or even to LETHINGTON ; and that it was known only to Murray and to Morton, and perhaps only to Murray himself.

All this lays open a *new* source of conviction to our minds. It serves also to show us, that as different parts of the rebel forgeries were executed by different persons, and some quite unknown to the others ; as LETHINGTON assuredly made the LETTERS, and BUCHANAN composed the SONNETS, and LETHINGTON transcribed BOTH into a handwriting imitative of Mary’s : so MORTON probably drew up THE FIRST CONTRACT for Mary, which was *therefore* written in a *chancery* hand, unlike

* Appendix, N^o x.

her's; MORTON also drew up probably the SECOND CONTRACT, in the pretended hand-writing of Huntly, his immediate predecessor in the office of chancellor; and MURRAY himself, who was the presiding genius of the whole villainy, and set all the implements of iniquity to work, probably fabricated with his own hand THE CONFESSIONS of Paris, &c.

But let us go on to open another source of conviction, though of a kind with which we have been familiarly acquainted before. And the more we examine these artificial writings, the appearances of forgery shew themselves more numerous to us.

I have called this the *second* contract, because it is called so by the rebels. Their journal speaks of it thus: "April 5. The *secund* contract of mariage, "per verba de præsentis, wes maid and wryttin "be my lord of Huntly *." Yet in *date* it is actually the first. This is plain from what I have observed, concerning the date of the other. And *in fact* it was exhibited first to the commissioners at York. "There was—a contract shewed unto us," say the commissioners, "signed with the Quene's "hand, and also with Bothwell's, bearing date "the fifth of Aprill; written, as it is said, with "the Earl of Huntley's own hand, who, with one "Thomas Hebourne, were the only witnesses to "the same:—there was also a contract shewed unto us, of the Quene's own hand, of the marriage "to be had betweene her and Bothwell, bearing

* Appendix, N^o x.

“no date, which had not verba de præfenti, as the
“other had bearing date the 5th of Aprill*.” The
persons, who showed the former to the commis-
sioners, evidently spoke to them in the very lan-
guage of the journal concerning it. Yet they di-
rectly contradict the journal, in the order of exhi-
biting both. And they thus present us with another
instance, of the natural confusedness of guilt.

The first contract, indeed, was originally intended
to be the second. This the hint of denied constraint,
given us in that contract, and not given us in the
other, sufficiently shows of itself. But afterwards
it was resolved to be considered as the first, as ear-
lier in date than the other, and as going back we
know not how far into the past. Hence the jour-
nal notices the other on the 5th of April, and calls
it the *second*. And hence Buchanan more explicitly
tells us of this, that, “thocht sum wordis thairin
“feme to the contrarie, zit [it] is upon credibill
“groundis supposit to have bene maid and writtin
“be hir, *befoir the deith of hir husband*.” From
this variation in the plan of the rebels, arose a na-
tural variation in their conduct. The whole tenour
of the contract shows it to have been written for a
period posteriour to the death of Darnly. And one
stroke in it, fixes it even posteriour to the seizure
of Mary. Yet the rebels had the hardiness in
defiance of all, to assign it an earlier date. It
therefore became prior to the other in the journal,
and prior even to the King’s murder in Buchanan.

* Appendix, N^o v.

It still showed itself, however, to be actually posteriour to both, when it was exhibited by the rebels at York; and it was actually exhibited as posteriour, by the rebels themselves there. And thus do these unskilful architects in villainy, once more appear before us; not contenting themselves to work, upon their original model; but raising their superstructure to a height, which they had not framed their foundations to bear; and so bringing down their whole building, by pieces, in ruin and destruction on their heads.

SECTION III.

THE TRUE CONTRACT OF MARRIAGE BETWEEN MARY AND BOTHWELL *.

(1) “ At Edinburgh, the xiiii. day of Maii, the
 “ zeir of God M D. thrie scoir fevin zeris, it is ap-
 “ pointit, agreit, contractit, and finallie accordit,
 “ betwix the richt excellent, richt heich, and
 “ michtie Princeſſe MARIE, be the Grace of God
 “ Quene of Scottis, Dowarrier of France, on the
 “ ane part; and the richt noble and potent Prince
 “ JAMES Duke of Orknay, Erle Boithvile, Lord

* From the original in the Royal Archives of Scotland, Goodall, ii. 57—61.

“ Halis, Creichtoun, and Liddisdail, greit Ad-
 “ mirall of this realme of Scotland, on the uther
 “ part; in manner, forme, and effect, as efter fol-
 “ lowis; that is to say.

“ Forfamekle as hir Majestie, confidering with
 “ hirself how Almichtie God hes not onlie placit
 “ and constitute hir Heines to regne owir this
 “ realme, and during hir lyvetyme to governe the
 “ people and inhabitantis thairof, hir native sub-
 “ jectis; but als that of hir royall persoun succes-
 “ sioun mycht be producit, to enjoy and posses this
 “ kingdome and dominionis thairof, quhen God
 “ shall call hir Hienes to his mercy, out of this mor-
 “ tall lyff; and how graciousslie it hes plesit him
 “ alreddie to respect hir Hienes and this hir realme,
 “ in geving unto hir Majestie hir maist deare and
 “ onlie sone the Prince, [for which] baith hir
 “ Hienes self and hir haill subjectis ar detbund, to
 “ rander unto God immortal prayse and thankes:
 “ And now hir Majestie; being destitute of an hus-
 “ band, levand solitary in the state of wedoheid
 “ (2); and zit zoung and of flourishing aige, apt
 “ and able to procreat and bring forth ma children
 “ (3); hes bene preissit and humbly requirit to
 “ zeild unto sum mariage. Quhilk petition hir
 “ Grace weying, and taking in gude part; bot
 “ cheiflie regarding the preservatioun and con-
 “ tinewance of hir posteritie; hes condescendit
 “ thairto. And mature

(1) Buchanan, in that bold repugnancy to his
 own

own and the rebel accounts before, which marks the general tenour of his History; asserts *this* contract to have been produced at Westminster, with the other two. There were then exhibited, he says, *ma-*
“ trimonii contractus tres; primus,—ipſius Reginae
“ manu ſcriptus—; alter,—Huntlæi manu con-
*“ ſcriptus; tertius, ſub ipſas nuptias palam factus *.”*
 Buchanan thus contradicts his own account in the Detection †. He alſo contradicts the account given by Murray himſelf ‡. And he contradicts equally the journal of the Engliſh council ||. A contract genuine and publick, indeed, could answer no poſſible purpoſes of calumnation, againſt ſuch a princeſs as Mary.

(2) Of this very natural preamble in the true contract, the mimick one has taken only a ſlight part; compreſſing the ſentences before into this one, “ conſidering the place and eſtair quhairin
 “ Almighty God hes conſtitute hir Heichnes;” and then repeating the preſent thus, “ how, be the
 “ deceis of the King hir huſband, hir Maſteſtie is
 “ now deſtitute of ane huſband, leving ſolitarie in
 “ the ſtair of wedowheid.”

(3) In the room of this curious language, the other contract ſays thus; “ in the quhilk kynde of
 “ lyfe hir Maſteſtie maiſt willingly wald continew,
 “ gif ye weill of hir realme and ſubjectis wald per-
 “ mit.” This is evidently more delicate, than the preſent paſſage. But then that very circumſtance proves the forgery of the contract. Huntly is af-

* Hiſt. xix. 374.
 N^o xi.

+ P. 92—97.

|| Ibid. N^o ix.

‡ Appendix,

ferred to have drawn it up. He was at the time chancellor of the kingdom. He therefore drew up the real contract, no doubt. And, for *this* reason, he was asserted to have drawn up the mimick one. But the latter was asserted, also, to be *in his handwriting*. This was a very absurd addition in Murray. It was a wild extravagance of fiction. Though the chancellor might draw it up, the chancellor would certainly not engross it. And the very form and fashion of it shows it, *not* to have been even drawn up by the chancellor, or any other lawyer, at all. We need only compare the real and the mock rainbow together, to know which is the one and which the other. The genuine contract, we see, exhibits itself in all the strong colouring of the law. The spurious attempts to present the same colours to the eye; but presents them faint from the reflection, and feeble in the repetition. The one holds up to us those delicacies of civilized life, which have always avoided to speak out on some incidents of our animal nature. And the other gives us that blunt loquaciousness of law, which dares to describe whatever we dare to do, and still pollutes all our marriage-contracts, with what is considered as the necessary ribaldry of legal exactness.

“ deliberatioun being had towert the personaige of
 “ him, with quhome hir Heines fuld joyne in ma-
 “ riage; the maist part of hir nobilitie, be way of
 “ advise, hes humbly prayit hir Majestie, and thocht
 8 “ better,

“ better, that she fuld sa far humble herself, as to
 “ accept ane of hir awin borne subjectis on that
 “ state and place, that were accustomat with the
 “ maneris, lawis, and consuetude of this countré,
 “ rather nor ony foreyne prince: and hir Majestie,
 “ preferrand thair advyse and prayers, with the
 “ weillfair of hir realme, to the advancement and pro-
 “ motioun, quilk hir Hienes in particular mycht
 “ have be foreyne mariage, hes in that point like-
 “ wise inclynit to the fute of hir said nobilitie.

“ And thay namand the said noble Prince, now
 “ Duke of Orknay, for the special personaige; hir
 “ Majestie, well avysit, hes allowit thair motioun
 “ and nominatioun, and graciousslie accordit thair-
 “ unto (1); having recent memorie of the notable
 “ and worthie actis, and gude service, done and
 “ performit be him to hir Majestie, alswell sen hir
 “ returning and arrivall in this realme, as of befor
 “ in hir Hienes’s minoritie, and during the time of
 “ governament of umquhile hir dearest moder of
 “ gude memorie, in the furthsetting of hir Ma-
 “ jestie’s auctoritie aganis all impugnaris and gane-
 “ standeris thair of; quhais magnanimitie, courage,
 “ and constant trewth towert hir Majestie, in pre-
 “ servatioun of hir awin persoun from mony evident
 “ and greit dangeris, and in conducting of heich
 “ and profitable purposes, tending to hir Hienes’s
 “ advancement, and establisshing of this countrie to
 “ hir perfite and universal obedience, hes sa far
 “ movit hir, and procurit

(1) Here

(1) Here is a continual allusion to the bond of April the 19th—20th, recommending Bothwell as a husband to Mary. She “hes bene preiffit and “humbly requirit to zeild unto sum mariage.” This she is said to have been “weying, and taking “in gude part;” in allusion to the remission, which she signed the very day of the date of this contract, to all the subscribers of the bond *. In this bond “the maist part of hir nobilitie, be way of advise, “hes humbly prayit hir Majestie, and thocht better; that she fuld sa far humble hirself, as to accept ane of hir awin born subjectis.” So the bond itself says, that in case her Majesty would condescend “so farr to humble her selff, as preferring ane of her native-born subjectis unto all forane princis, to take to husband the said Erle; “wee,” &c. †. And they are said at last to have named Bothwell. Yet the spurious contract has omitted all this, and speaks only thus; “seing “quhat incommoditie may cum to this realme, in “cace hir Majestie fuld joyne in mariage with ony “forane prince of ane strange natioun, hir Heichnes hes thocht rather better to zeild unto ane of “hir awin subjectis.” The author thus refrains studiously from all notice of the bond.

“It is observable,” says Dr. Robertson, “that “amidst all the altercations and mutual reproaches, “of the *two* parties which arose in the kingdom; “this unworthy transaction,” of signing the bond, “is *seldom* mentioned. Conscious on *both* sides,

* Anderson, i. 111.

† Ibid. 110.

“that

“ that in this particular their conduct could ill
 “ bear examination, and would redound little to
 “ their fame; they *always* touch upon it *unwilling-*
 “ *ly*, and *seem desirous*, that it should *remain in dark-*
 “ *ness* or *be buried in oblivion* *.” But is the fact
 as here represented? Is the bond “ seldom men-
 “ tioned” afterwards, by *either* party? And does
the Queen and the Queen’s party, in particular,
 “ seem desirous that it should remain in darkness,
 “ or be buried in oblivion?”

The rebels mention the bond in their journal,
 with this explicit language concerning it: “ the
 “ same nycht the lordis past the band efter supper
 “ to the Erle Bothwell, being drawin secretlie be
 “ him to the supper †.” The rebels re-mention it
 at the York conference, in this very particular
 manner. They “ shewed unto us,” say the English
 commissioners, “ a copie of a bond bearing date the
 “ 19th of Aprill 1567; to the which the most part
 “ of the lords and counsaillors of Scotland have
 “ put to their hands, and, as they saye, more for
 “ feare, than any lyking they had of the same.
 “ Which band conteyned two special points, the
 “ one a declaration of Bothwell’s purgation of the
 “ murder of the Lord Darnley; and the other a
 “ generall consent to his marriage with the Quene,
 “ so far forthe as the lawe and her own likinge
 “ shoulde allowe. And yet, in proufe that they
 “ did it not willinglie, they procured a warrant,
 “ which was now shewed unto us; bearing date

* i. 415.

 † Appendix, N^o x.

“ the 19th of Aprill, signed with the Quene’s hand,
“ whereby she gave them licence to agree to the
“ same: affirming that, before they had such war-
“ rant, there was none of them that did or wolde
“ set to their hands, saving onlie the Earl of
“ Huntley.—It appeared also, that the self-same
“ daye of the date of this band, being the 19th of
“ Aprill, the Earl of Huntley was restored by par-
“ liament; which parliament was the occasion that
“ so many lords were there assembled: which, be-
“ ing all invited to a supper by Bothwell, were in-
“ duced after supper, more for feare than other-
“ wayes, to subscribe to the said bond, two hundred
“ harkebusiers being in the court, and about the
“ chamber-door where they supped, which weare
“ all at Bothwell’s devotione; which the said lords
“ so much misliked, that the next morning, by four
“ of the clocke, few or none of them weare left in
“ the towne, but departed without taking their
“ leave *.” This is certainly a very circumstantial
account of the bond. It is dwelt upon again and
again by the rebels. Yet the rebels, according to
Dr. Robertson, “ always touch upon it unwillingly,
“ and seem desirous, that it should remain in dark-
“ ness or be buried in oblivion.”

But how do the Queen and her party act? They mention it as circumstantially as the rebels. They mention it much oftener. And they even insist upon it, as a peculiar argument in their favour. In the instructions to her commissioners for the

* Appendix, N^o v.

conference at York, she herself speaks of it thus:
 “ gif thay alledge, that my marriage with the Erle
 “ of Bothwell will be ony presumptioun aganis
 “ me, ze fall answer; that I never condescendit
 “ thairto, unto the time *the greitest part of the no-*
 “ *bilitie* had cleinsit him be ane assise, and the
 “ samin ratifyit in parliament, and *thay* had gevin
 “ *thair plain consent unto him for my mariage, and*
 “ *sollicited and perswadit me thairto, as thair hand-*
 “ *writing, quhilk was schawin to me, will testifie *.*”

In the instructions too, which were given to the same commissioners by the nobles of Mary's party, these equally dwell upon it in this manner: “ in
 “ cais it be alledgit, that the marrying of the Erle
 “ Bothwel is ane greit suspicioun of hir Hienes's
 “ knowlege, it is answerit; that befor that ever
 “ that marriage was laid to hir Grace's charge,
 “ *the maist part of the nobilitie, and PRINCIPALLIE*
 “ of the usurparis, sic as the Erle Morton, Lord
 “ Sempil, Lord Lyndsay, and Mr. James Balfour,
 “ *gave thair consent to the Erle Bothwel †.*” And, in reply to Murray's accusation at Westminster, Mary's commissioners expatiate upon the bond in these terms. “ Gif he,” Bothwell, “ was principal
 “ auctor of the murder,” they say, “ the same was
 “ never knawin nor manifestit to her Hienes: bot
 “ the contrare did weill appere to her Grace, be
 “ resson the said Erle of Boythwell being suspectit,
 “ indytit, and ordorlie summounit be the lawis of
 “ that realme, was acquite be ane assyse of his

* Goodall, ii. 342.

† Ibid. 361.

“ peiris;

“ peiris; and the same ratified and confirmed be
 “ auctoritie of parliament, be *the greitest part of*
 “ *the nobilitie*, asweill of the principallis, quhilk
 “ now withdrawis thameselfis sensyne from the
 “ Quenis Majestie thair Sovereigne’s obedience, as
 “ utheris hir faythful subjectis: quhilkis also *con-*
 “ *sentit and solicitit our said Sovereigne, to accomplish*
 “ *the said marriage with him*, as the man maist fitt
 “ in all the realme of Scotland; in so doing, pro-
 “ mising him service, and her Hienes loyall obe-
 “ dience: and *mony of thame selfis gaif their bandis*
 “ *unto him*, to defend him aganis all thais, quha-
 “ soever mycht challenge or persew him thairefter
 “ for the said cryme; *as thair bande-writtings can*
 “ *testifie* *.” So frequently, and so circumstantially,
 do the Queen and her party notice the bond! And
 they even notice it *additionally* and *repeatedly*, in
 the marriage-contract before us. Yet the Queen
 and her party, says Dr. Robertson, “ seldom men-
 “ tion” it, “ always touch upon it unwillingly,”
 and “ seem desirous that it should remain in dark-
 “ nefs or be buried in oblivion.”

Both her friends, and her enemies, notice it with
 a peculiar attention. Her enemies, we see, notice
 it twice, and once very circumstantially. They
 could not notice it in their copy of the contract, as
 her friends do in the original. It was not signed
 till the 19th or 20th of April, and *their* contract is
 dated the 5th. But they dwell upon it particularly
 in their journal, and they dwell upon it more par-

* Goodall, ii. 163—164.

particularly at York. They were the persons *principally*, who had subscribed it. Yet they were the persons, who now appeared to have subscribed it, only with the infernal view of ensnaring Mary. They therefore mention it in the journal, with the lying excuse, that they were drawn secretly to the supper by Bothwell. They therefore re-mention it at York, with another lye fabricated by themselves, concerning the harquebusiers; and with even a writing forged by themselves, containing the Queen's licence; the one clashing violently with the other, and both clashing as violently with the lye of the journal before. They insist upon the bond; in order by falsehoods, by forgeries, and by contradictions, to exculpate themselves for signing it. Mary, and Mary's partisans, still more insist upon the bond; in order to vindicate the propriety of the Queen's conduct, and to expose the villainy of her rebels, by repeated appeals to it. And Dr. Robertson, I fear, knew these facts too well, to be deceived concerning the history; wanted only to cover the villainy from view; so threw out a reflection, which is opposed by evidence; and then founded on it an accusation, which is contradicted by facts, and which meant only to screen the rebels, by involving the royalists with them.

“ hir favour and affectioun, that abuif the com-
 “ moun and accustomat gude grace and benevo-
 “ lence, quhilk princes usis to bestow on noble
 VOL. III. N “ men,

“ men, thair subjectis, weill deserving, hir Majestie
 “ wil be content to ressave and tak to hir husband
 “ the said noble Prince, for satisfactioun of the
 “ hartis of hir nobilitie and people (1); and to the
 “ effect, that hir Majestie may be the mair able to
 “ governe and rewill hir realme in time to cum
 “ during hir lyfetime, and that yssue and succes-
 “ sioun, at Godis plessour, may be producit of hir
 “ maist noble persoun, quhilkis, being sa deir and
 “ tender to hir said dearest sone, eftir hir Majestie’s
 “ deceis, may befoir all utheris serve, ayd, and
 “ comfort him.

“ Quhairfore the said excellent and michtie Prin-
 “ cesse and Quene, and the said noble and potent
 “ Prince James Duke of Orknay, fall, God willing,
 “ solemnizat and compleit the band of matrimony,
 “ ather of thame with uther, in face of haly kirk,
 “ with all guidlie diligence.

“ And als hir Majestie, in respect of the same
 “ matrimony, and of the successioun at Goddis
 “ plesour to be procreat betwix thame, and pro-
 “ ducit of hir body, fall in hir nixt parliament
 “ grant a ratificatioun, with avise of hir thrie es-
 “ tatis (quhilk hir Majestie fall obtene), of the in-
 “ festment maid be hir to the said noble Prince,
 “ than Erle Boithvile, and his airis maill to be
 “ gottin of his body; quhilkis failzeing, to hir
 “ Hienes and hir crown to return; of all and haill
 “ the erldome, landis, and ilis of Orknay and lord-
 “ ship of Zetland, with the holmis, skerreis, quy-
 “ landis, outbrekkis, castellis, touris, fortalices,
 “ manor-places, milnis, multuris, woddis, cunyng-
 “ haris,

“ haris, fisheingis, alfweill in freshe watteris as salt,
 “ havynnis, portis, raidis, outseittis, partis, pendi-
 “ clis, tenentis, tenendries, service of fré tenentis,
 “ advocatioun, donatioun, and richt of patronage
 “ of kirkis, benefices, and chapellanries of the
 “ samyn, liand within the sheriffdom of Orknay
 “ and fowdry of Zetland, respectivé, with the toll
 “ and custumis within the saidis boundis, togidder
 “ with the offices of sheriffship of Orknay and
 “ fowdry of Zetland,

(1) All these amplifications of praise upon Earl Bothwell, so natural to a contract of marriage between a Queen and one of her subjects, are wilfully omitted by the *copy* of it. The whole is condensed into these words; “ hir Majestie findis nane mair
 “ abill, nor indewit with better qualiteis, then the
 “ richt nobill and hir deir coufing, James Erle
 “ Bothwell, &c. of quhais thankfull and trew ser-
 “ vice hir Heichnes, in all tymes bypast, hes hed
 “ large prufe and infallibill experience.” And the intimation, that Bothwell’s services to her and to the Queen Dowager, together with the recommendation of him by the nobility, have so far procured her favour and regard for him, as to make her content to receive him for her husband; is changed into something very different. “ Séing not only
 “ the same gude mynd constantly persevering in
 “ him,” she is *made* to say, “ bot, with that, *ane*
 “ *inward affection and hartly lufe towardis hir Ma-*
 “ *jestie;*” she takes him for her husband.

“ and office of justiciarie within all the boundis als
“ weill of Orknay as Zetland; with all the privi-
“ legis, feis, liberteis, and dewteis perteining and
“ belanging thairto, and all thair pertinentis, erec-
“ tit in ane haill and fré Dukry, to be callit the
“ Dukry of Orknay for evir: and, gif neid be, fall
“ mak him new infestment thairupon in competent
“ and dew forme; quhilk hir Majestie promittis in
“ verbo principis.

“ And in cais, as God forbid, thair beis na airis
“ maill procreat betwix hir Majestie and the said
“ Prince, he obliffis his utheris airis maill, to be
“ gottin of his body, to renounce the halding of
“ blanche ferme contenit in the said infestment,
“ takand alwayes and reffavand new infestment
“ of the saidis landis, erldome, lordship, ilis, toll,
“ custumis, and offices above writtin, and all thair
“ pertinentis erectit in ane Dukry, as said is; quhilk
“ name and titill it fall alwayes retene, notwith-
“ standing the alteratioun of the halding; his saidis
“ airis maill, to be gottin of his body, payand
“ zerlie thairfoir to our said Soverane Ladyis suc-
“ cessoris, or thair comptrollaris in thair name, the
“ soun of twa thousand poundis money of this
“ realme, like as the samyn was sett in the tyme of
“ the Kingis grace, hir gracious fader of maist
“ worthy memorie.

“ Mairover, the said noble and potent Prince
“ and Duke obliffis him, that he fall nawyse dispone
“ nor put away ony of his landis, heritaigis, posses-
“ siounis, and offices present, nor quhilkis he fall
“ happin to obtene and conquest herefter during the
“ mariage,

“ marriage, fra the airis maill to be gottin betwix him
 “ and hir Majestie ; bot thay to succeid to the same,
 “ als weill as to the said Dukry of Orknay.

“ Furthermair, it is concluded and accordit be
 “ hir Majestie, that all signatours, lettres, and writ-
 “ tingis, to be subscrivit be hir Majestie in tyme
 “ to cum, efter the completing and solemnizatioun
 “ of the said marriage, other of giftis, dispositionis,
 “ graces, privilegis, or utheris sic thingis quhat-
 “ sumevir, sal be alsua subscrivit be the said noble
 “ Prince and Duke for his interesse, in signe and
 “ takin of his consent and assent thairto, as hir Ma-
 “ jestie’s husband. Likeas it is alsua agreit and
 “ accordit be the said noble Prince and Duke, that
 “ na signatours, lettres, or writtingis, other of giftis,
 “ dispositionis, graces, privilegis, or uther sic thingis
 “ concerning the affaires of the realme, fall be sub-
 “ scrivit be him onlie, and without hir Majestie’s
 “ avise and subscriptioun ; and gif ony sic thing
 “ happin, the samyn to be of nane avale.

“ And for observing, keping, and fulfilling of
 “ the premissis, and every point and article thair of,
 “ the said noble and mychtie Princeesse, and the said
 “ noble Prince and Duke, hes boundin and oblissit
 “ thame faithfullie to utheris ; and ar content and
 “ consentis, that this present contract be actit and
 “ registrat in the buikis of counsell and sessioun, ad
 “ perpetuam rei memoriam : and for acting and
 “ registering heirof in the said buikis, hir Majestie
 “ ordanis hir advocattis, and the said noble Prince
 “ and Duke hes maid and constitute Maister Da-
 “ vid Borthwick, Alexander Skene, his procu-

“ ratoris conjunctlie and severalie, promittand de
 “ rato.

“ In witness of the quhilk thing, hir Majestie,
 “ and the said noble Prince and Duke, hes sub-
 “ scrivit this present contract with thair handis,
 “ day, zeir, and place foirfaidis: befoir thir wit-
 “ nessis, ane maist Reverend Fader in God, Johne
 “ Archiebishop of Saint Andrewis, commendatar of
 “ Paisly, &c.; George Erll of Huntlie, Lord Gor-
 “ doun and Badzenach, Chancellor of Scotland,
 “ &c.; David Erll of Crawford, Lord Lindsay, &c.;
 “ George Erll of Rothes, Lord Leslie; Alexander,
 “ Bishop of Galloway, commendatar of Inchaffray;
 “ Johnne, Bishop of Ross; Johnne Lord Fleming;
 “ Johnne Lord Hereis; William Maitland of
 “ Lethington younger, secretar to our Soverane
 “ Lady; Sir Johnne Bellenden of Auchnoule,
 “ Knight, Justice-clerk; and Mr. Robert Creych-
 “ ton of Eliok, Advocate to hir Hienes; with
 “ utheris divers.

“ MARIE R.

“ JAMES Duke of Orknay.”

On the back,

“ xiiii. Maii, 1567.

“ Comperit personalie the Quenis Majestie, and
 “ James Duke of Orknay, &c. and desyrit this con-
 “ tract to be registrat, &c. in presens of the Clerk of
 “ Register, &c. of quhais command I haif registrat
 “ the samin.

“ J. Scott.”

SECTION

SECTION IV.

SUCH are the contracts of marriage, between Mary and Bothwell! These are three in number. But two of them are only copies of the third. And these copies were made for the sake of slandering Mary, by contracts *prior* in date to the original, formed *before* the divorce was made, and even *before* the suit was *begun* for a divorce.

Yet what is the meaning of a marriage-contract? It is to ascertain the respective rights of the parties, and to draw the line of property and power exactly between them. Such is the original above. But the copies are not such. They ascertain no rights. They draw no line, either of power or of property. And as marriage-contracts, therefore, they are obviously absurd.

They can be considered only as formal *engagements*, though they avow themselves to be equally contracts with the original. Let us then consider them as *engagements*. And let us see, whether they will be less absurd.

The *first* of them can only be an engagement, upon *one* side. It binds not Bothwell to take Mary. It binds only Mary to take Bothwell. Was Bothwell then afraid that Mary would jilt him, and Mary *not* afraid that Bothwell would desert her? In the letters she is represented, as continually afraid of this. And yet *she takes no written engage-*

ment from him. So contradictory are the letters and the first contract, concerning *Mary!* But Bothwell, it seems, *was* afraid. He therefore *obtains a written engagement from Mary.* And yet he is described in the letters as *not* afraid, as very cool in his returns of affection to Mary, and as even shrinking back from the open arms of Mary. So contradictory are the letters and the first contract, concerning *Bothwell!*

A written engagement, however, is pretended to be given by Mary. But why was it not *dated*? Could the date be *naturally* omitted? And, undated as this is, how comes the other to be called the *second* by the rebels? Because it was *originally* dated. It was dated in the end of April or beginning of May. This the hint of denied constraint, plainly points out to us. A resolution was afterwards taken, to consider it as much earlier; and to superadd another to it, much larger and more formal, dated the 5th of April, and written in imitation of Lord Huntly's hand. The date was accordingly taken away. But the hint of constraint was unwarily left. And the new was ordered to rank, as second to the old.

The first is still existing in Mary's own original. It is apparently *not* written by Mary, as Murray pretended it was. It is apparently spurious, therefore. And the spuriousness of this demonstrates the other to be spurious also. They are both derived from the same hands. The other refers to this, as the second to the first. And the other thus presumes to give a date to this, when this has none in itself.

But,

But, un-dated as the first is, what becomes of it when it is pretendedly written by Mary? It is given to Bothwell. It is his security for Mary's marriage of him. But what *need* is there of any security in the present case? Mary is forward enough of herself, not to need any bond upon her. Bothwell is backward enough, not to solicit or to receive any bond from her. So plainly do the letters contradict the contracts again. Even if there was any need of such an engagement, of what *use* could it be? Bothwell could not mean to prosecute the Queen upon it, if she should jilt him. And, without such a meaning, what end could the writing serve?

This however being given to Bothwell, as with Bothwell it was averred to be found; what slightest need could there possibly be for *another* engagement? Is not *one* sufficient? Or will *two* bind, when one cannot?

Perhaps indeed Mary may *now* expect a counter-engagement from Bothwell, and the *second* contract is to be of *this* nature. Yet it is not. The second is a mutual engagement of both. Mary, already engaged by a contract subscribed *and written* by herself, is now engaged again by a contract in Huntly's hand-writing, which is only subscribed by her. And Bothwell now engages, not by a stipulation in his own hand-writing, like Mary, but only by a subscription to this contract of Huntly's. Bothwell therefore obtains two securities from Mary, when by the letters he wanted not *one*. And
Mary

Mary obtains only *one*, when by the letters she should have grasped at *two* or more.

But now perhaps, when the mutual engagement has been mutually signed, Mary's own engagement will be given up again by Bothwell. Yet it is not. It is still left with Bothwell. And with Bothwell it is finally averred to be found.

Where then is the *second* engagement lodged? This will certainly not be left with Bothwell. It is a *mutual* one. It will therefore be deposited with my Lord Chancellor, who drew it up. So it certainly should have been. Yet it was deposited, as the eighth letter hints to us, in the *Queen's* hands. And, as the rebels themselves inform us, it was actually left in *Bothwell's*, and actually found with the *first* in *Bothwell's* box of papers. So contradictory are the letters and the contracts again! But my Lord Chancellor thus drew up a formal engagement between Mary and Bothwell, and yet left it in the possession of one of the parties. Mary thus had obtained at last, a personal engagement from Bothwell to marry her; and yet, in direct contradiction to the whole spirit and soul of the letters, permitted him to keep it himself. And Bothwell had thus gained a formal engagement from Mary, drawn up by the Lord Chancellor, and attested by him and another; and yet resigned it up to the care of Mary herself.

Such a chain of absurdities, is the history of these two contracts! Every distinct link is a distinct absurdity. And the whole forms a new and wonderful

derful proof, of their common forgery. But there is one absurdity still greater, and one proof still stronger, behind.

When Mary signed the *real* contract with Bothwell, she was just on the point of a marriage with him. The suit of divorce from his former wife, had been commenced by her, and had been begun by him. It had even been decided in both cases. It had been decided in favour of the divorce. And Bothwell was at full liberty, to contract and to marry again. The divorce was pronounced on the 3d and 7th of May. She signed the real contract on the 14th. And she was married on the 15th*. Here all is natural and proper. But, when she is made to subscribe the spurious contracts, we see this natural scene of things totally reversed. Then my Lord Chancellor is employed to draw up, and even to write out, a contract; though the marriage is not to take place till some indefinite time afterwards, and though, as it hangs upon the eventual issue of a suit, it may not take place at all. And a Queen enters into a formal and solemn contract of marriage, under the sanction and with the attestation of her Lord Chancellor, even while Bothwell *has yet a wife*; even when Bothwell has not yet *begun* a suit of divorce, against her; even when, if he had, neither the Queen nor he could be absolutely *sure* of the conclusion; and even when, if they could, no Queen would consent, and no Lord

* Robertson, ii, 450—451; and Appendix, N° x.

Chancellor agree, to make a *formal* contract of marriage for her.

To represent them as doing so, therefore, is such an extravagance of conceit, as closes the long train of absurdities at once. Nothing can go beyond this. When the imagination is let fly into the wilds of invention, it naturally kindles with its own course, begins to look down with contempt upon the regions of nature and probability below, and

Speciosa dehinc miracula promit,

Antiphaten, Scyllamque, et cum Cyclope Charybdim.

And daring forgery almost always betrays itself to the judicious eye, by some monstrous incredibilities of fiction.

Of this, Murray himself appears to have been fully sensible at the time. That a Queen should engage in a solemn contract of marriage with a *married* man, and that a Lord Chancellor should draw it up, write it out, and attest it; was something so apparently miraculous, that he thought even the credulity of his associates would revolt at it. He therefore made my Lord Chancellor to insert, the Queen and Bothwell to subscribe, and my Lord Chancellor himself to testify, a plain and positive LYE in the contract. He made them all concur in affirming under their hands, that the suit of divorce was ALREADY BEGUN; when it was not begun till many days afterward. He thus ventured boldly upon a gross anachronism, in order to cover a glaring absurdity. He thus exposed his
contract

contract to a detection from history, to guard it against a detection from nature. And he actually left it exposed to a detection from both.

But, before I close, let me subjoin one remark resulting from the whole. We have seen the letters contradicting each other. We have seen the sonnets contradicting the letters. And we now see the letters contradicted by the contracts. The three grand elements of the forgery, are thus in a perpetual state of hostility between themselves; each laying open the falshood of the other, and all uniting to prove the forgery of all.

CHAPTER THE FIFTH.

HAVING thus gone over the letters, the sonnets, and the contracts, with an examining eye; and having pointed them out with the sure finger of truth, I think, to the merited derision of mankind; I shall now close the work, with an ample explanation of the murder of Darnly. This murder is the fixed pivot, upon which the contracts, the sonnets, and the letters equally move. It is the grand centre of gravity, to all this vast system of forgery. I propose, therefore, now I have made my tour of the system, to dig down to its centre. I mean to lay open all the principles that produced, and to unfold all the circumstances that attended, the murder. This has never been done yet. The publick has only a confused and indistinct idea, of that very singular incident. And I undertake to give it a clear one; because the undertaking will terminate, I see, in a still fuller, a still stronger, and a still more pointed vindication of Queen Mary.

SECTION I.

BUCHANAN published a train of CONFESSIONS concerning the murder, at the end of his Detection, sonnets, letters, and contracts. But they are all spurious, the creation of a genius, that seems to have delighted itself in the boldness of its own falsehoods, and to have rioted in the luxury of its own forgeries. They thus form a very proper conclusion to the letters, the sonnets, the contracts, and the Detection. And the whole work goes on from the beginning to the end, in one uniform and unvaried tone of fabricated calumny.

Servatur ad imum

Qualis ab incepto processerit, et sibi constat.

That this is the case with his confessions, may be easily shown. They are designed to be the same with those, which were really or pretendedly made by some of Bothwell's followers, and were really or pretendedly existing upon record at the time. They are accordingly said expressly, to have been made in the TOLBOOTH of Edinburgh *, the building in which the parliament was held †, the privy council assembled ‡, and the lords of session convened for the trial of civil or criminal causes §. In this structure, Bothwell was tried for the murder of the King ||. In this his followers were equally tried ¶.

* Detection, 160 and 161, Anderson.

† Robertson,

ii. 321.

‡ Keith, 331.

§ Appendix, N^o x.

|| Anderson, i. 52.

¶ Ibid. ii. 188.

In this, also, the rebel lords assembled for business *. And in this, therefore, would their previous examination of Bothwell's followers be made. Yet, the moment we compare Buchanan's with the originals, we detect the imposition which he designs to practise upon us.

He expressly refers to the originals twice. At one time he cites them, for a circumstance concerning Mary in the confession of George Dalgleshe; "quhilk his confessioun," he says, "ZIT REMANIS
"OF RECORD †." At another he appeals to them, for all the circumstances in the execution of the murder. "The haill ordour of the doing thair of," he says "may be esilie understand [understood]
"by thair confessiounis, quhilk wer put to death
"for it ‡." And yet this order, and that circumstance, are not to be found in *his* depositions. I insist not upon this, however, in order to show a difference between his and the others. I am willing to excuse where I can. I will therefore suppose, that *his* were calculated only to give the sum and substance of the others. But the pen, which loved to sport with facts, could not content itself with fidelity, even in reciting confessions. He has made many additions, which are merely of a harmless nature. He has made some, however, that are very different. His spirit could not long confine itself within the bounds of harmlessness. The serpent may appear for a time, playing in wanton curls upon the ground. It will soon, however,

* Keith, 426.
Jebb.

† Detection, 9, Anderson; and 240,
‡ Ibid. 22, Anderson; and 244, Jebb.

rife upon its spires, and show its envenomed fang. And Buchanan returned to his natural exercise of fictitious slander.

Archilochum proprio rabies armavit iambo.

He accordingly inserts in one of the confessions, an intimation against Sir James Balfour, as if he had a share in the murder, and was even “the principall counsellar and devyser” of it *. Yet there is not the most distant hint of a charge like this, in the originals †.

But this Leviathan of slander was not satisfied, with taking such gentle pastime in forgery. He must raise a tempest for his recreation. He must charge the QUEEN herself, with a participation in the murder. He must even assert the existence of some papers, as seen by one of the culprits, and “acknowledgeing the Quenis mynd yairto ‡.” And yet, all the while, the originals themselves, even as given us by the rebels themselves, presumed not to breathe the slightest whisper of murder, against her.

Nor let us wonder at this astonishing audacity in Buchanan. An audacity, even still more astonishing, in *form* at least, if not in *substance*, which he shows in the Detection itself; may make us to stare with less amazement at this. He there informs us,

* Detection, 159. Anderson.

† Buchanan gives the intimation to John Hepburne; but, in John's confession, even the name of Sir James is never mentioned or alluded to.

‡ Detection, 160. Anderson,

that the Queen and one of her bed-chamber women, let down an old and heavy lady by a string, from the top of a high wall by night; that the string broke, the old lady fell, but recovered herself, rose, and executed her commission; that she forced into Bothwell's house, forced into his bed-chamber, tore him from the arms of his wife, and dragged him out of his bed; and that then she carried this young warrior, half-asleep, half-naked, over the high wall, into the Queen's bed-room. Such tales, so pregnant with absurdity, did this man of great abilities suffer himself to relate! Yet "this maner and circumstances of the deid," he says "not onlie the maist parte of thame that than were with the Quene, have confessit; bot also GEORGE DAGLISCHE, BOTHWELLIS CHALMERLANE, A LYTILL BEFOIR HE WAS EXECUTIT, PLANELY DECLAIRIT THE SAME; QUHILK HIS CONFES- SION ZIT REMANIS OF RECORD *." Such was the assurance of the wretch, as to refer in form to a record for a slander, when the record itself does not contain a single syllable concerning it.

But it was happy for the reputation of Mary, that he had such assurance and such absurdity. His malignity acted with all the force, of a pestilential blast upon his discretion. The daring calumniator sunk into an impassioned idiot, before it. And he stands on the pillar of infamy at present, for his Detection, his sonnets, and his depositions, the second of all human forgers, and the first of all human

* Detection, 9. Anderson; 239—240, Jebb.

slanderers;

slanderers ; but baffled in his forgeries, and defeated in his slanders, by his very rage for both.

SECTION II.

BUCHANAN's confessions, then, are all spurious. Nor are the original confessions genuine. They assume, indeed, all the forms of authenticity. But they are not authentick. They were presented by the rebel commissioners at Westminster, upon the famous 8th of December ; when, as the journal of our own commissioners says, they " did produce " and shew three several wrytings in Englishe, subscribed and signed by Sir John Bellendyn, knight, " justice-clerk in Scotland *." And their copies are our originals at present ; all the records of the court of justiciary having been long lost for this period, and all our knowledge of these confessions coming through the polluted medium of the rebels †. Of such men we cannot be too suspicious. We have seen them already polluted with the most infamous forgeries, that the wide history of human profligacy exhibits to our view. Nothing seems to have been too base for them to do. They had, I fear, a head to contrive, a heart to approve, and

* Goodall, ii. 235.

† Anderson, i. Pref. x.

a hand to execute, the worst villainy that the worst villains of any age have performed. Every paper therefore, that comes from them, and is of service to them, for that reason cannot but be suspected of forgery; and must submit to a strict examination, before it can be admitted. But we need not rest upon suspicions, in the present case. We can produce more substantial evidences.

It is incredible, that any men should make such confessions as these are, to the destruction of their own lives, without any apparent necessity for it; without the appearance of one witness produced against them, or of their being even confronted one with the other*. It is more incredible, even if they did make them, that different persons, at different and even distant periods of time, in June, September, and December; should use exactly the same words, and the same combinations of words, in their several narratives†. It is still more incredible, that persons meeting at midnight in the streets, and just after the change of the moon, should yet know one another at once; should yet mark accurately the way, by which each of them went off; or, where they did not do this, should yet distinguish the cloaks, which some of them had before their faces, and, what is still more, should even discern the slippers, which some of them wore

* Goodall, i. 385. Goodall also urges the non-appearance of torture used to them. But he is wrong in the fact. Torture is expressly said to have been used, in a letter near the time; Robertson, ii. 435. † Goodall, i. 386.

upon their feet *. Nature flings a thousand varieties over incidents. Art is dull and uniform. And none, but the great Dramatick Representative of lyars, would have thought of noticing the “Kendal “green” of his knaves, when “it was so dark that “he could not see his hand.”

But there are also many contrarieties in the confessions, by which each counterpoises the other, and both are destroyed. I shall particularly dwell upon one set of them, because it is one, because it concerns one and the same incident, and it comes from one and the same person. William Powrie swears on the 23d of June, that he and Patrick Wilson took “ane carriage of twa mailles and ane tronk, “and ye uthir an leddirin mail, quilks wer lyand “in the said nethir hall,” the lower room of Bothwell’s lodgings at Holyrood-house; “quilks the “deponar and the said Pat put on and chargit “upon *twa horses of my lordis*, THE ANE BEING “HIS SOWN [OWN] HORSE:” and yet, on the 3d of July, re-swears, “yat the carage of the tronk “and mail, contenit in his former depositioun, were “carried by him and Pat Wilsone;” *not* upon *two* horses of my lord’s, and one of them his own, but “upon ANE gray hors yat PERTAINED TO HER- “MAN, PAGE TO MY LORD, at TWA SUNDRY “TIMES †.” But Powrie confirmed his account of

* Goodall, i. 396; and Anderson, ii. 166, “quhilks had “cloakes about yare faces,” and 172, “quhilkis had yare “cloaks, and mulis [slippers] upon yair feet.”

† Anderson, ii. 166 and 171. Of this Herman, page to
O 3 Bothwell,

of the 23d of June, by *this* remembered incident; that, on their return back out of the yard at Black Friars to the gate, "THE TWA HORSS," which they had left there while they carried in the powder, "war away;" and they were obliged to go back to Holyrood-house, without them. And he corroborated his account of July the 3d, by *another* incident, of a contrary nature, and yet equally remembered; which was, "yat at the LAST horse
 "cariage he bare up ane toome [empty] pulder
 "barrel, to the same place yai carriet the pulder,
 "and yat he wist not how, nor be quhome, the
 "same came in the Erle Bothwell's ludging in the
 "Abby *." Such gross contradictions are there, in this one man's depositions. But there are still more. In the former, when he came to the gate of the Black Friars, he and Wilson were met by
 "the Erle Bothwell; ACUMPANIT with Robert
 "Ormeftoun and Paris, called French Paris, and
 "utheris TWA quhilks *had cloakes about yair faces.*" In the latter, "quhan the deponar and Pat Will-
 "son come to the Frier Zet [gate] with the last
 "convoy, and laid the same down, Robert Orme-

Bothwell, we have mention again in a letter from Morton, &c. to Lenox, 1570. "For the paige," they say, "we understand his name for to be Herman, quha, as we haif gottin
 "knowlege, came furth of Scotland, and enterit in Ingland
 "at the Eist marche, disagyfit in his apparell, passing on fute
 "in a blew coit, *a blew Scottis cape on his heid, and a fork on
 "his shulder, as the commoun custume of the northern pepill is to
 "gang.*" He "be appearance will tak his course to Den-
 "mark," where his old master was at the time (Goodall, ii. 383).

* Anderson, ii. 167, and 172.

"stoun

“stoun come forth, and said,” &c.; and “at the
 “same time yat the deponar and Pat Wilson laid
 “down the last cariage at the said Frier Gait, the
 “E. Bothweill came unto yame utwith [without]
 “the Frier Zet; ACCUMPANYIT with THRE’ more,
 “quhilks *had yare cloaks, and mulis upon yair feet* *.”

And, to notice only one more contradiction, the first part of the *first* deposition asserted him and Wilson, to have taken “TWA MAILLS and ane
 “tronk” in one load, and “an leiddirin mail” in another; but in the succeeding parts the “twa
 “maills” are forgotten, “the saids twa charges” being shrunk into “the said maill and tronk;” and yet, though the second deposition continues at first to speak of “the tronk and maill,” it soon changes its tone, and makes up for what it has taken away, by adding “ane toome pulder barrel” to the whole †. With such a negligent industry, have these confessions been put together, that one man, speaking at the distance only of ten days; speaking of a general and a very memorable fact, which happened only four or five months before; and speaking of circumstances, which he must have remembered as well as he remembered his own presence at the whole; violently and repeatedly gives himself the lye.

But infinite is the absurdity, in the *general* air and complexion of the confessions. The men take up the trunk and the mails of powder, at Holyrood-house; load them upon two horses at one time, or

* Anderson. ii. 166, 171, 172.

† Ibid. ibid. ibid.

upon one at two times; and carry them away into the city and to Kirk-a-field, betwixt ten and eleven o'clock at night: when, by their own account, there are centinels at the palace, there is a gate to the city, and a porter to the gate; and the Queen is expected speedily to return, from the city and Kirk-a-field to the palace, to the very place from which they are setting out, from the very point to which they are going, and by the very course in which they are moving betwixt both *. They even do more than this. They go up to the King's house, with their bags of powder; enter the portal, and enter the house, with them upon their backs, or under their arms; and advance with them into the Queen's bed-room there. They also take a large powder-barrel, and a tree "holit and howkit like an troch," to be put to the hole of the barrel; take both into the portal, and into the house; and endeavour to force the former, into the Queen's bed-room. They find it too large, therefore bear it back again, pour all the powder loose upon the floor, and then carry back the bags in which it came †. And they do all this at a time, when the Queen is actually in the house; when she, and the King, and some nobles, are actually in the King's bed-room overhead: when the King's attendants must be in the other apartments, or at the door; when the nobles must equally have servants attending upon them, and in or about the house; and when the Queen,

* Anderson, ii. 166, 171, 168, 181, and 185.

† Ibid. 166, 167, 180, 178, 181, and 186; and Goodall, ii. 244, "portell-duris."

of course, has a larger train than either with her, has men carrying torches to light her, and has Lady Reres sitting for her some time on horse-back, not far from the door *. All this amounts to such a collective evidence against the depositions, as, even if they came to us in the fairest and most unquestionable manner, would destroy their credibility for ever; and, with the imbecillity which they derive from their origin, must crush their authority under it.

But we need not rest our objections, even upon all these powerful reasons together. We may carry the argument still higher. We may point out a gross anachronism in the dates of two of them. And then we may mount up the natural incredibility of the whole, into an absolute impossibility.

I have formerly shown, that Powrie and Dalgleshe were not *seized* by the rebels, before the 17th or 18th of July. The evidence is a cotemporary letter, one of Throgmorton's dispatches to Elizabeth. This embassadour, writing successively from Edinburgh on the 14th, 16th, and 18th of July, recites all the intelligence that he can procure, and all the news that he can collect, on each of these days respectively. And on the 18th he informs the Queen, that "the Earl of Bothwell's PORTER, " and one of his other SERVITORS OF HIS CHAMBER, " being apprehended, have confessed such sundry " circumstances; as it appeareth evidently, that he

* Anderson, 181, and 167; Appendix, N^o x.; and Detection, 77, Anderson, 263, Jebb.

“the said Earl was,” &c. * Bothwell’s porter was Powrie, and Bothwell’s chamberlain was Dalgleshe; the former being expressly called “servitor and “porter to the said Erle,” in the depositions of Dalgleshe himself †; and Dalgleshe being equally called “servande in the chalmer to the Erle Bothwell,” in his own depositions ‡. These were both seized together, and both on the 17th or 18th of July. Yet their depositions are dated, Powrie’s on the 23d of June and the 3d of July, and Dalgleshe’s on the 26th of June ||. Here, therefore, the anticipation of time is very great. And it serves to convict the depositions of forgery, by a short reference to chronology, at once.

But the depositions all terminate in this, that the powder, by which the King and his house were blown up, was laid loose upon the floor of the Queen’s chamber, the chamber immediately under the King’s, and there set fire to. Bothwell told them, says John Hay the younger, “the pulder
“mon be laid in the house under the Kingis chal-
“mer, quhair the Queene suld lye §.” “Paris
“the Frenchman,” he adds, “was in the nedder
“house, under the Kingis chalmer—; and yan yay
“tuk all the polks, and carried yame within the
“said laich house, and temit [poured] yame on
“the flour in an heip, and the polks weir taken
“furth again **.” And “the pulder being put in
“polks,” says John Hepburne, they “had in the

* Robertson, ii. 377. † Anderson, ii. 174. ‡ Ibid.
173. || Ibid. 165, 171, and 173. § Ibid. 178.
** Ibid. 181.

“pouder,

“pouder, and tuming [pouring] it furth of the
 “polks in ane bing and heip upon the flur, evin
 “directly under the Kingis bed; and yan—twa
 “houres after mydnight—fyrir*.” Such is the
 main scope of all the depositions! Yet all this is
 absolutely impossible to be true. Powder, so laid,
might have blown up the King, the King’s chamber,
 and the roof over it. But it could not have blown
 up the *lower* parts of the building, the *vaults* be-
 low, or the *foundation-stones* of the whole. Yet all
 these were equally affected, with the King’s cham-
 ber. The whole house was blown up, from the
 top to the bottom, and from one side to the other.
 The very vaults were sent into the air. And the
 very foundation-stones were either swept away or
 torn to pieces, by the explosive force from beneath.
 In a letter written by Mary herself only the very
 day after the fact, it is thus described: “this night
 “past, being the 9th February, a little after twa
 “houris after midnight, THE HOUSE, quhairin the
 “King was logit, was in ane instant BLAWIN IN
 “THE AIR, he lyand sleipand in his bed; with sic
 “A VEHEMENCIE, that of THE HAILL LOGING,
 “WALLIS, AND OTHER, THARE IS NATHING RE-
 “MANIT, NA, NOT A STANE ABOVE ANOTHER;
 “BOT ALL OTHER [EITHER] CARRIET FAR AWAY,
 “OR DUNG IN DROSS, TO THE VERY GRUND-
 “STANE †.” A proclamation also, which was
 published the very day after this letter was written,
 speaks exactly the language of it; informing us,

* Anderson, ii. 186.

† Keith, Pref. viii.

that “at twa houris efter midnycht THE HOUSE,
 “quhair umquhile the Kingis Grace was ludgeit,
 “was in ane instant BLAWIN UP IN THE AIR,—
 “with SIC A FORCE AND VEHEMENCIE; that of
 “THE HAILL LUDGEING, WALLEs, AND UThER,
 “THAIR IS NATHING LEFT UNRUINATED AND
 “DOUNG IN DROSSE, TO THE VERIE GROUND-
 “STANE *.” Both show the powder to have been
 lodged, below the foundations of the building.
 And the Queen accordingly subjoins: “it mon
 “be done be force of powder, and APPERIS TO
 “HAVE BEEN A MYNE †.” This has all the energy
 of a demonstration, against the confessions. It re-
 duces the grand assertion within them, into a self-
 evident falshood.

But let us add two other accounts, of this amaz-
 ing deed of mischief. A few years afterwards, two
 of the actors in the work were successively arraigned
 for it. The indictment of one of them stated, that
 he and his associates “burned the house, and blew
 “it up in the air by the force of gunpowder;
 “which, for that purpose, they had recently con-
 “veyed INTO VAULTS, AND OTHER LOW AND
 “DARK PLACES UNDER GROUND.” And the in-
 dictment of the other asserted, that, a little be-
 fore the murder, “the powder had been put by
 “him and his accomplices, UNDER THE GROUND,
 “AND ANGULAR STANDS, and WITHIN THE
 “VAULTS, LOW AND DERN PARTS AND PLACES,

* Anderson, i. 36.

† Keith, Pref. viii.

“OF THE LODGING *.” Indeed so apparent was the fact, that even Buchanan himself did not dare to mis-represent it, while it was yet fresh upon the memories of all; and that even he, in his Detection, asserts the murder to have been effected by a mine, though in his History he recurs to the impossible tale of the confessions. Thus he informs us, “that the Kingis ludgeing was, EVEN FROM THE VERRAY FOUNDATIOUN, BLAWIN UP IN THE AIR †.” He also speaks of “the noyes [noise] of THE UNDERMYNERIS wirking ‡.” And he affirms, that they had “UNDERMYNIT THE WALL, and FILLIT THE HOILIS WITH GUNE-POWDER ||.”

The

* Goodall, i. 146—147, who first suggested the argument. These trials have been very recently published by Mr. Arnot, in his Criminal Trials of Scotland, 1785. One indictment, p. 390, runs thus in the Scotch; that he burned the King’s “haill lodgeing forsaide, and raised the famen in the aire be force of gunpoulder, qlke a lytle afore was placit and imput be him and his forsaids under the grund, and angular stands, and within the voltis, laich and derne pairts and places, y^rof.” The other is in p. 9.

† Detection, 23, Anderson, 244, Jebb.

‡ Ibid. 72, Anderson, 262, Jebb.

|| Ibid. 70, Anderson, 261, Jebb.—It is also said in Knox, 404, that “the nynth of February the King was murthered, and the hous quhare he lay *burned with powder.*”

A new confession is published by Mr. Arnot, that of John Ormiston, lord of Ormiston (383—388). At the trial also of one of the murderers in 1586, the King’s advocate exhibited a confession “by the late James Ormestoune of that ilk” (Arnot, 16). But these and all the others prove themselves to be forgeries, by a circumstance common to them all. Some of the rebels I shall show hereafter, to have been personally concerned in the murder. Yet, because they *were* rebels, employed by
the

The depositions then appear demonstrably false, even in the great and main point of all. They appear

the usurpers, and acting with a view to the usurpation; *all these confessions unite*, in CAREFULLY SUPPRESSING THEIR NAMES. These all pretend to be made by the friends and retainers of Bothwell. Yet their makers suppress *every* name but THEIR OWN. Bothwell and his confederates are studiously particularized. But all their *rebel* associates are even more studiously omitted. Even Gairner and Binning, Archibald Douglas, and the Earl of Morton himself; who were all upon the ground at the time, were all engaged in the work, and one of whom, particularly, was afterwards sworn against by some of the very ACTORS in the work, as I shall show hereafter; all, all are wilfully omitted in the depositions. This is a full evidence of itself, that the depositions have been essentially falsified, or, in other words, that they are impudent forgeries. The admission of a single falsification within them, corrupts and taints the whole. And, when one of the *rebel* murderers came to be tried for the murder in 1586, he even alledged the confessions of James Ormeston, John Hay, and Paris, as *proofs of his innocence*; because they “described the whole circumstances of the murder committed—, without making any mention of him” (Arnot, 17).

I wish, however, to make another remark upon the confessions of Ormeston. These are only ONE, though they appear as two above. The *John* and the *James* Ormeston of each are actually one person, divided into two by a blunder of the pen or the press. On December the 8th, 1567, the rebels exhibited in London “the judgment and condemnation by parliament, of the Erle Bothwell, JAMES Ormeston, Robert Ormeston,” &c. “as guilty—for the murder of the King” (Goodall, ii. 236). In Bellenden’s confessions also, we see the second of these persons carrying uniformly the appellation of *James*. Thus Powrie deposes, that “the Erle Boithwell, accompanied with JAMES Ormestoune of that ilk, Hob Ormestoune his fader bruther,” &c. was the doer of the murder (Anderson, ii. 165). This *James* is repeatedly called by
Powrie

appear so, even by the testimony of Buchanan himself. They were most probably, therefore, fabricated immediately by the rebels in England, and not taken from any fabricated originals in Scotland.

Sir

Powrie “the lard of Ormestoune” (166), “laird of Ormestoune” (167), and “the laird of Ormiston of *yat ilk*” (171—172). So John Hay speaks of “JAMES Ormiston of *yat ilk*” (178), whom he again and again calls “the said laird of Ormiston” afterwards (179, 180, &c.). John Hepburne also mentions “JAMES Ormiston of *that ilk*” (184), as “the said lard of Ormeston” (185). And Morton’s and Douglas’s indictments severally unite in asserting, that both these men had been engaged in the murder, together “with James some tyme Earle Bothwell, JAMES Ormiston some time of *that ilke*, Robert *alias* Hob Ormiston, his father brother,” &c. (Arnot, 9, and 389). The lord of Ormeston, therefore, was undoubtedly called JAMES. Yet, to our surprize, we find him in Mr. Arnot’s publication bearing the appellation of JOHN. This “confession of the laird of Ormiston” tells us at the very outset, that “John Brand, minister at Hallyruid-house, being send to JOHN Ormistoune,—to requyre THE SAID LAIRD to glorifie God in shawing of the trewth,” &c. (Arnot, 383). Nor is this extraordinary mis-nomer, to be attributed to the blundering hand of forgery. Nothing indeed, in the whole compass of nature, would more clearly convict a deposition of forgery; than that either the taker was completely ignorant of the maker’s name, or the maker did not know his own. But this is not the case at present. The confession exhibited on Douglas’s trial, was “one by the late JAMES Ormestoune of *that ilk*” (Arnot, 16). This was the confession of the lord of Ormeston. It *then* reported his name as it really was. It equally reported the name truly, as late even as the days of Mr. Goodall. Mons. Fenelon, he says from Carte, “acquaints us, that JAMES Ormiston of Ormiston confessed,” &c. “As to Ormiston’s confession,” he adds,
“it

Sir John Bellenden indeed, whose attestation is annexed to them, was a man very capable of giving his attestation to a non-entity, I believe. We see him at that most impudent of all impudent acts of hypocrisy, the coronation of Mary's infant son on her pretended resignation; stepping forward with the effrontery of a man, who had long ceased to blush, and with the solemnity of a wretch, who had been long hacknied in hypocrisy, to ratify the same "in the name of the Thre Estaittis:" though these estates had never authorized him to do so; though these could have *no existence* enabling them to authorize him, till Mary summoned the individuals to unite into estates in parliament;

"it is to be seen in Sir Lewis Stewart's Collections; it is a paper drawn up by John Brand—; he has indeed put the names of all the persons mentioned in Mons. de Fenelon's letter, into Ormiston's dying speech" (i. 391—392). And the transmutation of *James* into *John*, and the seeming creation of two confessions out of one, is merely a casual mistake in Mr. Arnot himself; the same kind of mistake, which in another place, and concerning another *confessionary*, has reversed the change, and converted a *John* into *James*, in the Christian name of Hay of Talla (p. 9) *.

* Mr. Arnot's mistake arises from this, I find. He publishes the confession from Sir L. Stuart's Collections, as he says in p. 388. But the confession in these collections runs thus, I understand: "John Brand—being sent "to *the Laird of Ormiston* to," &c. Yet in the advocates library is another copy of this confession, "ex manuscriptis Roberti Mylne scribæ;" which, by an interlineation over the words "the laird of Ormiston," runs thus, JON, in Teviotdale, commonly "called Black Ormiston from his iron colour." And Mr. Arnot appears to have formed this part of the confession, by leaving out "the laird of" in the text, and by substituting "Jon" from the interlineation, in the room of the words.

and

and though, even then, they could have had no authority, to accept an involuntary surrender of the crown from her *. And he, who was so prompt to act in the most iniquitous measures with the rebels; and who particularly could presume to act under a commission, which was never given him, and which he had merely forged for himself; would have little hesitated, we may be sure, to set his name to any imposition, that would be of service to the cause. Yet he never set his name to the confessions, I believe. At a time, when the fact was so well understood in Scotland, that even the Detection was obliged to retail the popular opinion, though the History could venture, at a later period, to depart from it; confessions, directly opposing that opinion, would hardly be fabricated there. Nor was there any purpose, for which they should. Such confessions, forged by the rebels; and lodged, either by consent or by stealth, among the records of the justiciary; could have answered no end to the rebels. If lodged by consent, Bellenden must have been an active associate in the deed of forgery. If by stealth, he must still have seen the imposition when the paper was produced; as he must have known no such examinations, to have been ever taken in the justiciary. Had they been, he must have been officially present at the time, as he was lord justice-clerk, the presiding officer of the justiciary †; and he must have known himself, not to have signed the paper. Either way, they would

* Keith, 439.

† Anderson, ii. 173, &c.

have convinced nobody if they had been produced in Scotland. Nor was it requisite to lodge them in the justiciary of Scotland, in order to produce them in England. And a much more compendious course was pursued.

His good friends in England, during the interval between the conference at York, and the continuation of it at Westminster; saw the necessity, as they fancied, of exhibiting to the English commissioners, some depositions made by some of the persons executed in Scotland for the murder. They had none indeed, but what would have militated directly against them, have absolved the Queen, and arraigned themselves. This the dying confessions of the sufferers, which I shall hereafter notice, decisively show us. To forge any in opposition to these, though it would be a crime without an advantage in Scotland, would yet be serviceable in England. There the real confessions could be little known at present. There forgeries, for that reason, might safely be substituted in their room. These would also be supported in their credit, by the sanction of authority from Elizabeth, that informing soul of the whole body politick in England,

Mens agitans molem, et magno se corpore miscens.

And the name of Bellenden, "the justice-clerk *in* "Scotland," might be usefully appended to each, to give them an air of regular confessions made in Scotland at the time *.

In

* Let it not be thought, that these depositions were certainly *not* fabricated in England, because some of them were actually produced

In this manner, very plainly, were the depositions made. The records of justiciary never saw them. And Bellenden knew no more of them, than Alexander Hay appears to have known of Paris's second confession; though his name is equally annexed to

produced on the trial of Archibald Douglas in Scotland, A. D. 1586. The King's advocate, says the record of the trial, "produced three—depositions, one by the late James Ormestoun of that ilk, another *by the late John Hay of Talla*, and a third *by the late Paris a Frenchman*" (Arnot's Criminal Trials, 16). The two last are the same, which were produced with others in London. The rebels exhibited on December 8, 1568, say our commissioners, three writings in English, "wherof the first conteyned two severall examinations,—the first *of John Haye the younger of Tallo*," &c. (Goodall, ii. 235—236). Accordingly, "the examinations and confessions —*of John Hay younger of Talo*," &c. are now "in the Cotton library, Calig. c. i. f. 243, &c." (Anderson, ii. Contents). But the two confessions of Paris were sent up to London by Murray, in the October following (Goodall, ii. 88). The *first* is accordingly found in the Cotton library, Calig. b. ix. f. 370. (Goodall, i. 145). The *second* is very singularly in the paper-office, as a publick paper; while "an authentick copy or exemplification, signed by Alexander Hay, then clerk of the privy council," is lodged in the Cotton library (Anderson, ii. Contents). But how then came they all to appear in Scotland, at the trial of Douglas? *They were borrowed from London for the purpose.* This is evident. They were sent to London in 1568 and 1569. They were brought back to Scotland in 1586. Yet they remain in London at this day. They were allowed to travel into Scotland, for the business of this trial. They were calculated to serve the cause of the culprit. He had been one of the King's murderers. He had fled into England, on the seizure of Morton. Elizabeth, who prosecuted the murder so severely upon the innocent Mary, patronized the murderer in Douglas. She refused to surrender him up, though James repeatedly solicited her to do it (Spotswood, 347—348).

to the latter, as Bellenden's is to the former *. To borrow the name of a friend, in order to colour over an useful fraud ; must have seemed only a small crime in men, who could be guilty of the fraud itself. Where the heart is degraded enough, to think of performing the principal villainy ; any corroborations of it by accessory tricks of imposition, will appear only petty offences. And as Bellenden was kept probably in a profound ignorance of the depositions, to which his name was subscribed ; and as Hay certainly was, concerning the confessions to which his attestation was annexed ; so did even Buchanan himself remain totally ignorant of the latter, for ever †. This gang of political *picaroons* was actually afraid of one another. They committed forgeries in concert. Yet they were still afraid. They therefore committed forgeries apart by themselves. These they carefully concealed from each other's knowledge. And *we* now know at last, what the most intimate of

She even lent these confessions, to assist him in his mockery of a trial. The King's advocate, who took care *not* to produce Morton's confession against him, because it would have proved him guilty, took equal care to produce these, because they tended to prove him innocent. These, the culprit said, "so far from criminating him, testified his innocence ; for that these deponents described the whole circumstances of the murder committed by themselves and their accomplices, without making any mention of him" (Arnot, 17). And, when they had served their infamous purpose, they were remitted to London again. The whole plan of knavery was concerted by Randolph, Elizabeth's embassadour, the master of Gray and the advocate (Moyse, 108).

* Tytler, 136.

† Ibid. 135.

Murray's subordinates in iniquity did not know at the time, the great liberty that he allowed himself, in using the names of his subordinates, whenever he wanted them; and the wide range that he gave himself, in the airy regions of forgery*.

S E C -

* Such also is the *first* confession of Paris, in Goodall, i. 137—144. This is expressly referred to in the second, “*comme il est dit en sa premiere deposition*” (Goodall, ii. 82). It was therefore, with the second, a creation of Murray's. And it was accordingly used with it; being sent up to London, together with the other, by Murray in October 1569 (Goodall, ii. 88), and being therefore lodged with an attested copy of the other at present, among the papers of Cecil in the Cotton library (Goodall, i. 145, and Anderson, ii. Contents). Yet it has never been published in the original. We have only a translation of it. But from this we see, that it was apparently written by Murray to flatter his own vanity, by the praises which he makes Paris very liberally, and in an historical view very absurdly (Goodall, i. 145), bestow upon him. It was therefore shown only to a few, who were not acute enough to see the design of it. It was particularly concealed from Buchanan, who knew no more of *this* than of the *second* confession. And indeed the first actually precludes the second; as it is absolutely impossible for Paris, when he related so much concerning Bothwell and the murder on the 9th, to have wholly abstained from all intimations, concerning that intercourse betwixt Bothwell and the Queen, and concerning those circumstances of the murder, which he relates so particularly on the 10th.

But there is another circumstance in these confessions, which betrays the baseness of origin in both. In the *first* of them Powrie, who was actually PORTER to Bothwell, is strangely changed into his TAILOR. He is described in Bellenden's depositions, as “*servitor and porter to Bothwell*” (Anderson, ii. 174). He is spoken of by Throgmorton, in a letter of July 18, 1567, as the “*Earl Bothwell's porter*” (Goodall, i. Pref. xvii. and Robertson, ii. 377). He is even called, in one part of

SECTION III.

HAVING thus swept away the false accounts of the murder, let us proceed to the true. What we have already seen, will enable us to state the true more fully.

When

Paris's second confession, "Powrie le *portier*" (Goodall, ii. 77). Yet "he" [Bothwell] "went forth," says the Paris of the first confession, "taking with him the *tailor* and me" (Goodall, i. 143). This very extraordinary change in the designation of Powrie, Mr. Goodall was the first who observed. He observed it with surprize. "There is some ground for thinking," he says, "that these confessions," meaning only Paris's first, have "been translated into French, after the same manner as the "letters to Bothwell: certain it is, that Powrie, the Earl's "porter, is in these confessions transformed into a taylor; and "how that should have happened, but through a blunder in the "translation, is not easily to be comprehended" (Goodall, i. 146). The remark is equally acute and just. Such a translation had been made. Such a blunder had been committed. The same transformation appears, in the FRENCH of the SECOND confession. In a passage of this, referring to the passage above in that, are these words: "Sieur de Boduell prend le TAILOR "et Paris avec lui, comme il est dit en sa premiere deposition" (Goodall, ii. 82). And the appearance of the same blunder in the *French* of the *second* confession, as well as in the *English* of the version of the *first* from the French, shows the French of both to have been merely a version in itself. In both the French and the English languages, the words *tailor* and *porter* are so distinct in their letters, that they could not possibly be confounded in those dialects, by any blunder of the press. Yet they have been confounded by such a blunder, in some language or other. They have therefore been confounded in one, which exhibits these appellations of business in a form, somewhat

When Mary received intelligence, on the 20th or 21st of January, 1567, concerning the King's illness, the King's repentance, and the King's desire to see her at Glasgow; she resolved to go to him immediately. But she equally resolved, to bring him with her to the neighbourhood of Edinburgh, as soon as ever he could travel. She therefore took a litter with her, for his more easy and safe conveyance. And she determined to lodge him at Craigmillar. But, finding the King not to

what similar to each other. And what language does this, that could have any connection with the confessions? The same process of transmutation, no doubt, was pursued in the confessions as in the letters. The same cause would naturally produce the same effect. The same ignorance of French, would undoubtedly occasion the same interposition of a Latin copy. The confessions, like the letters, would be drawn up originally in English, would be translated into Latin, and would be retranslated into French. In these successive versions of the letters, I have already shown the grossest errors to have been made by the press. Thus the word *key* became *cera* in Latin by a mis print for *sera*, and so became *cire* in French. Thus also *bylle* was disfigured into *bybill* in English, and the absurdity was continued in the Latin *biblia* and the French *bible*. And *boisting* in English being rendered, by a typographical error, *comitatus*, instead of *comminatus*; the French repeated the error in its *suivi*. In this manner was a *key* transformed into *wax*, a *letter* into a *bible*, and a *threat* into *company*. In the same manner, no doubt, was also a *porter* miraculously metamorphosed into a *tailor*. In the English of the confessions denominated a *porter*, he would naturally receive the appellation of *janitor* in Latin. But the press interposed with an unlucky blunder. *Janitor* was altered by it into *sartor*. The false light of the Latin, was reflected back in the folly of the French. And the *porter* of the original, became the *tailor* of the copies.

like Craigmillar, she agreed with him upon Kirk-a-field* ; a house, at which Lord Borthwick had lately received, in a sickness, considerable benefit from the air †. She accordingly sent orders for the house to be hired and furnished. She was absent in the whole nine or ten days, from Jan. 21st, when she went away, to Jan. 30th, when she returned. She was absent from the receipt of the orders, probably, about five or six. And, in this period, must the mine have been dug by the conspirators.

But who were they?—The Bishop of Ross shall tell us, in this lively detail of facts,

Mary, he says, used Murray's "advise and coun-
 "sel in all her affairs, after her returne into Scot-
 "land, *so farre*, that she had but, as it were, THE
 "NAME AND CALLING, he BEARING THE VERY
 "SWAY OF THE REGIMENT; by her intituled to,
 "and honoured and adorned with, the Earldome
 "of Murray; and at length, by one meanes or
 "other, furnished with so greate and ample posses-
 "sions, that, bysides other commodities and ad-
 "vantages, THE YEARELY RENT THEREOF PASSETH
 "AND SURMOUNTETH THE SUMME OF TWENTY
 "AND SIX THOUSAND POUNDES, after the rate of
 "their money.

"Behold now the thankfulnes of this good and
 "grateful nature! He laboured and endeavoured
 "al that he possibly could, to WITHOLDE THE
 "QUEENE'S MIND, AND STAY HER, FROM AL
 "MANNER OF MARIAGE; and TO ENTAILE THE

* Goodall, ii. 244.

† Jebb, ii. 214.

“ CROUNE OF THE REALM UNTO HIMSELF (though
 “ he were illegitimate, and uncapable therof), and
 “ to the NAME and the BLOOD of the Stewards.
 “ But when he saw and throughly perceaved, and
 “ wel knew, that the Queene was fully minded,
 “ and earnestly bent, and had now determined, to
 “ joyne herselfe in mariage with the Lorde Darley;
 “ HE PRACTISED MEANES, by HIS assistance and
 “ procurements, TO HAVE SLAYNE HIM AND HIS
 “ FATHER, AND TO HAVE IMPRISONED HIR at
 “ LOCHLEVEN, and TO HAVE USURPED THE GO-
 “ VERNMENT HIMSELF, as he now doth.

“ But now when he saw this his intent and pur-
 “ pose disclosed and prevented, and that the solem-
 “ nization of the mariage was already past; he
 “ SHEWED HIMSELF WITH HIS ADHERENTS IN OPEN
 “ FIELD, AND IN ARMES AGAINST THE QUEENE
 “ HIS MAISTRESSE. Whereupon he was driven to
 “ flee into England.—

“ Then beganne he to practise with THE EARLE
 “ MORTON, by his letters and messengers, about
 “ THE DETESTABLE SLAUGHTER of David, the
 “ Queene’s secretarie; who, by THEIR mischievous
 “ sleights and craftie persuasions, induced the Lord
 “ Darley, promising him TO REMOVE THE QUEENE
 “ from the meddling with al politike affaires, and
 “ actually to put him IN POSSESSION OF THE
 “ CROUNE, and of THE RULE AND GOVERNEMENT
 “ OF THE REALME, to joyne with them in this trai-
 “ terous conspiracie against the Queene, his most
 “ deare and loving wife, and moste dreade sove-
 “ regne. Whereupon the murther was in most
 “ horrible

“ horrible and traiterous wife committed, in the
 “ Queene’s own chamber of presence, upon him,
 “ violently plucked from the Queene: she also
 “ being cruelly menaced and sore threatned; hav-
 “ ing also a charged pistolet set to her belly, be-
 “ ing then greate with childe; and then removed
 “ from her privie chamber into another, where she
 “ was kepte as a prisoner*.

“ The

* Mr. Arnot’s view of the rooms, in which this fact was committed, is curious. In the Duke of Hamilton’s part of Holyrood-house, he says, and “ in the second floor, are Queen Mary’s apartments, in one of which her own bed still remains. It is of crimson damask, bordered with green silk tassels and fringes, and is now almost in tatters. The cornice of the bed is of open figured work, in the present taste; *but more light in the execution, than any modern one we have seen.* Close to the floor of this room, a piece of wainscot, about a yard square, hangs upon hinges, and opens a passage to a trap-stair, which communicates with the apartments beneath. *Through this passage* Lord Darnley, and the other conspirators, rushed in to murder Riccio. The Queen was then supping with the Countess of Argyle, and Riccio in attendance, in a closet of her bed-chamber, about twelve feet square, the present north-west tower of the palace. Riccio was pushed out of the closet, dragged through the bed-chamber into the chamber of presence, where, being pierced with redoubled wounds, he expired.”

Mr. Arnot refers to this account, sent by Bedford and Randolph at the time to England. “ The King conveyeth himself, the Lord Ruthen, George Duglafs, and two others, throwe his own chamber, by the privy stayers, up to the Queen’s chamber; going *to* [it should be *through*] which there is a cabinet, about xii foot square,” the Queen’s privie chamber,” as the Bishop calls it above; “ in the same, a little low reposing bed,” a fettee, “ and a table.—David was thrust out of the cabinet,” he was dragged, with the

King’s

“ The young, unexpert, and rash Lord Darley,
 “ who being blinded with outrageous ambition,
 “ could not foresee the divelish drifte of these craftie
 “ merchants, beganne now, but almost tó late, to
 “ espie it; and SEEING HIMSELF AS NIGH THE
 “ DANGER AS WAS HIS WIFE THE QUEENE, repair-
 “ ed to her, moſte humbly asking her pardon of
 “ his heinous attempt, and pitifully crieing out to
 “ her, to provide and finde out ſome preſent way to
 “ preſerve themſelves both: who, by the Queene’s
 “ politike induſtrie, was privily with herſelf con-

King’s dagger ſticking in his back (Keith, 331, and Melvill, 64), “ throw the bed-chamber, into the chamber of preſence,” what the Biſhop names “ the Queene’s own chamber of preſence,” and there murdered (Robertſon, ii. 356). And Mr. Arnot adds in a note, that “ towards the outward door of “ this apartment,” the chamber of preſence, “ there are in the “ floor large duſky ſpots, ſaid to have been occaſioned by “ Riccio’s blood ſtaining the floor; which waſhing of the “ boards has not been able to take out.” Hiſt. of Edinborough, 306.

This very room appears from Le Croc, in Keith, 346, to have been the council-room of the palace. It was therefore “ the great hall” of Melvill, 80, “ where the council uſeth “ to ſit,” and where Mary was married to Bothwell. It was alſo “ the council-chamber” of Randolph, in Keith, 194, “ where ſhe herſelf ordinarily ſitteth the moſt part of the time, “ ſewing ſome work or other.” And over it Bothwell is ſaid in Paris’s ſecond confeſſion, to have had his own chamber, “ au- “ deſſus de la chambre-là, ou ſe tenoit le confeil,” Goodall, ii. 82; which is called “ his High Chamber,” in Paris’s firſt confeſſion, Goodall, i. 144: while his men ſlept in the room below it, “ ye nether hall of ye ſaid Erle Bothwell’s ludgeing in “ ye Abbay,” Anderson, ii. 165, &c. So diſtinguiſhed does this room appear, in the eventful hiſtory of Mary’s life!

“ veied

“ veied away out of the rebelles danger; and BY
“ HIM THIS WICKED DRIFT, AND THE DRIVERS
“ AND CONTRIVERS THEREOF, WERE DISCOVERED
“ TO THE QUEENE.

“ But lo, the next day after this slaughter, the
“ Earle Murray entred into Scotland, and repaired
“ to the Queene with as faire a countenance, as
“ though he had ben cleare, as wel for that fact as
“ for al other treasons; wherof the gentle and
“ merciful Queene pardoned him, admitting him
“ againe into her Grace’s love and favour. Wherat
“ the L. Darley, MUCH MISLIKING, and VEHE-
“ MENTLY REPINING, feared THAT HE WOULD BE,
“ as he was indede, when he saw his time, RE-
“ VENGED UPON HIM; bycause HE WAS OF HIM
“ DETECTED TO THE QUEENE, for being ONE and
“ the CHIEFE of the counfailers, aiders, and assisters,
“ in the conspiracie about the murther of the se-
“ cretarie, now committed.

“ These and the like imaginations so depely sank
“ into, and pearced, the yong man’s harte; that he
“ finally resolved with himself, by one meanes or
“ other, to RIDDE THE EARLE MURRAY OUT OF
“ THE WAY. Where-about he went so farre forth,
“ that HE COMMUNICATED HIS PURPOSE TO THE
“ QUEENE, who did most highly mislike therewith,
“ and most vehemently deterred him from the said
“ his intent. Yet did he break the matter farther,
“ as to certain other noblemen, by whome at the
“ last it was revealed to the Earle Murray. Wher-
“ fore the Earle DID, CONTINUALLY AFTER, BEARE
“ HIM A DEADLY ENMITIE AND HATRED. Where-
“ upon

“ upon at length, *al other attempts failing him,*
 “ this execrable murther was BY HIM THE SAID
 “ EARLE MURRAY, and BY THE EARLE MURTON,
 “ *first devysed*; and afterward, in such strange and
 “ heynous sort as the worlde knoweth and detesteth,
 “ most horribly practised and put in execution *.”

But that this account may not rest upon the single authority of the Bishop, let us confirm it in its principal parts, by the formal attestation of some of the first personages in Scotland at the time. In the instructions, which were given by the nobles of Mary's party to Mary's commissioners, then setting off for the conference in England; is the very same account, and sometimes nearly in the same words.

“ It is to be diligentlie and advyfitlie remem-
 “ berit and confiderit,” say seventeen peers under their hands, “ how schortly efter our soverane's
 “ hame-cuming fra the realme of France in Scot-
 “ land, THE ERLE OF MURRAY, having respect
 “ *then*, and, as appeiris, *zit*, be his proceidingis,
 “ *to place himself in the government of this realme,*
 “ *and to usurp this kingdom*; be his counsal CAUSIT
 “ THE QUENE'S MAJESTIE BECOME SWA SUBJECT
 “ UNTO HIM, AS HIR GRACE HAD BENE ANE
 “ PUPIL: in sic sort, that hir Hienes's subjectis had
 “ *not access unto hir Grace*, to propone thair awin
 “ causis, or to ressave answer thairof, bot *be him*
 “ *onlie*; swa that he was onlie RECOGNOSCIT AS
 “ PRINCE, and HIR MAJESTIE BUT A SHADOW.

* Anderson, i. 60—63.

“ And quha preffit to find fault with his abuses, he
 “ did pursue thame *with sic crueltie*, that sum of the
 “ principal men,” the Gordons, “ he *causid put*
 “ *to deid* [death], destroying thair bairnis, housis,
 “ and memorie; and *causit utheris*,” Bothwell and
 Sutherland, “ to be *banishit* the realme; and *put*
 “ *utber nobilmen*,” the Archbishop of St. Andrew’s,
 Lord Gordon, and Gavin Hamilton, Abbot of Kil-
 winning, “ *in presoun*, and detenit thame there.

“ And having the principallis thus dejectit of
 “ thair places, he *proponit* to the Quene’s majestie
 “ TO HAVE THE CROWN TAILZEIT [entailed], and
 “ HIMSELF TO HAVE THE FIRST PLACE; quhilk hir
 “ Grace plainlie refusit, alledging scho wald not
 “ defraud the richteous heiris; and als feirit thairby
 “ *the wrecking of hirself*, and *secluding of hir Grace’s*
 “ *successioun*; in respect the desyrer of the said tailzie
 “ WALD NEVER CONSENT ONY WAY, that HIR MA-
 “ JESTIE SOULD MARRY ONY SIC PRINCE as maid
 “ sult at hir Hienes thairfoir, cullouring the samin
 “ upon the alledging of mony inconvenientis, that
 “ might follow upon the marriage of greit princes.
 “ Quhilk hir Majestie partlie considerit to be of
 “ truth: and swa by [beside or against] the com-
 “ moun inclinatioun of all princes and uther
 “ women, quhilk rather desyris to ascend nor de-
 “ scend, for retaining the realme at libertie, and to
 “ be thrallit to na utheris, was content to dedaigne
 “ [humble] hir Hienes to accept the Lord Darnly
 “ to hir husband; thinkand, thairthrow, to obtene
 “ greitest favouris of all thame of that surname.

“ Bot the contrair is knawin, and QUHAT IMPE-
 “ DIMENT

“ DIMENT WAS MAID THAIRTO BE THE SAID DE-
 “ SYRER OF THE SAID TAILZIE; quha, be HIMSELF
 “ and his assistaris, CONSPIRIT THE SLAUCHTER OF
 “ THE SAID LORD DARNLY, being then appointit
 “ to be marryit with hir Grace, AND ALS OF HIS
 “ FATHER, and DIVERS UTHER NOBILMEN, being
 “ in hir Grace’s cumpanie and followaris at that
 “ time; and swa TO HAVE IMPRISOUNIT HIR
 “ HIENES’S SELF IN LOCHLEVIN, and detenit hir
 “ Grace there ALL THE DAYIS OF HIR LYFE; and
 “ he TO HAVE USURPIT THE GOVERNMENT.
 “ Quhilk conspiracie was neir put to executioun
 “ in the moneth of June 1565, at the kirk of
 “ Baith; as mony quha wer in counsal with him,
 “ and drawin ignorantlie thairon, can testifie. And
 “ he, séing the famin revelit, DREW SINDRIE TO HIS
 “ OPINIOUN under colour of religioun; quha were
 “ banisht with him, and tuik refuge in England.

“ And thairefter HE perfaving, that they COULD
 “ NOT STAY THE MARRIAGE, and als that it pleisit
 “ God that HIR GRACE WAS ABILL TO HAVE SUC-
 “ CESSIOUN, and swa being greit with child; THAY
 “ INVENTIT THE SLAUCHTER OF HIR MAJESTIE’S
 “ SECRETAR IN HIR HEINES’S PRESENCE, and
 “ cruellie PERFORMIT the famin, and held hir
 “ maist nobill persoun IN PRISOUN; *intendand* be
 “ *that* way THE DEITH OF HIR MAJESTIE THROUGH
 “ HEICH DISPLESOUR, secluding of hir SUCCESSION,
 “ and ALS OF HIR SAID HUSBAND, *be reffoun* he
 “ was *seducit to consent thairto* ;” the very trick of
 perfidy, that was afterwards practised against Both-
 well. “ Bot then séing that hir Grace, with the

“ plesour of God, did escaip thair handis, and re-
 “ lieve hirsell of prisoun, quhairthrow that the
 “ doaris thair of wer banishit for thair enterpryse;
 “ and als heiring of the zounge behaviour, throw
 “ fulage counsal, of hir said husband: THAY CAUSIT
 “ MAK OFFERIS TO OUR SAID SOVERANE LADY, gif
 “ hir Grace wald give remission to thame that wer
 “ banishit at that time, TO FIND CAUSIS OF DI-
 “ VORCE, outhir for CONSANGUINITIE, in respect
 “ thay alledgit the dispensation was not publishit*,
 “ or else for ADULTERIE; or then TO GET HIM
 “ CONVICT OF TRESSOUN, because he consentit to
 “ hir Grace’s retention in ward; or QUHAT UTHIR
 “ WAYIS TO DESPECHE HIM: quhilk altogidder
 “ hir Grace refusit, as is manifestlie knawin.

“ Swa that it may be cleirly considerit, and is
 “ ane sufficient presumption in thir respectis, *hir*
 “ *Grace having the commoditie to find the meanis to*
 “ *be separate, and zit wald not consent thairto*; to
 “ appeir, that HIR GRACE WALD NEVER HAVE CON-
 “ SENTIT TO HIS MURTHOUR, havand sic uther
 “ likelie meanis to have bene maid quit of him, *be*
 “ *the lordis own device*; bot that it may be inferrit,
 “ that THAY WER THE DOARIS THAIROF ONLIE†.”

* Buchanan hints at this, though he has the impudence to
 make it Mary’s proposal: “ als mekle as thay wer, the ane to
 “ the uther, in sic degree of consanguinitie, as, be the Papis
 “ law, micht not mary togidder, specially (quhilk was esie for
 “ hir to do) the Bull being *conveyit away*, quhairby the same
 “ law was dispensit with” (Anderson, ii. 13—14; and Jebb,
 i. 241).—He has only altered the form of the proposal a little,
 by substituting *conveyit away* instead of *publishit*.

† Goodall, ii. 357—359.

Nor

Nor let the bigotry of prejudice against Mary delude itself, by refusing to listen to the united testimonies of the Bishop, and of all the loyal peers in Scotland with him, merely because they were loyal. What are the letters, what are the sonnets, and what are the contracts; but papers produced by her *usurping rebels* against her, produced to colour over their rebellion, and to lend a pretence to their usurpation? Yet we need not rest upon all this plenitude of evidence for her. The very same account is given us by an *Englishman*, by a *cotemporary*, and by an author *employed under the patronage, and entrusted with the papers*, of CECIL himself. And the accounts preceding are thus corroborated by CAMDEN, in all their leading and capital circumstances.

MURRAY, he says, who had taken arms because of Mary's match with Darnly, "fled into
 " England: and there, being frustrate of all hope
 " of aid, HE dealt by letters with MORTON, a man
 " of a *deep* and *subtile* reach, who was *his inward*
 " *friend*, and as it were *his right hand*; that seeing
 " the marriage could not be annulled, yet at least-
 " wise THE LOVE BETWIXT THEM AS MAN AND
 " WIFE MIGHT, by CLOSE CONTRIVANCES, BE DIS-
 " SOLVED. — MORTON, being a man *skilled* in
 " *kindling discontents*, insinuateth himself into the
 " young King's mind, by soothing flatteries; and
 " perswadeth him TO PUT ON THE CROWN OF
 " SCOTLAND, even against the Queen's will, and
 " to free himself from the command of a woman.—
 " By this counsell he *hoped*, not onely to *alienate* the

“ *Queen*, but also the *nobility* and *commons*, quite
“ from the King. And, to alienate the *Queen*,
“ first he incenseth the King by sundry slanders,
“ to the murther of David Rizo, a Piemontois;
“ lest he, being a *subtile fellow*, might prevent their
“ designs.—Then, the more to alienate her, he per-
“ swadeth the King to be present himself at the
“ murther.”

Afterwards “ the King, now considering the
“ foulness of the late act, and seeing the *Queen*
“ was very angry, repented him of his rashness;
“ humbly fled with tears and lamentations to her
“ clemency; and, craving pardon for his fault,
“ freely confessed, that, through the perswasion of
“ MURRAY and MORTON, he had undertaken
“ the fact. And from that time forward HE BARE
“ SUCH HATRED to MURRAY (for Morton, Reu-
“ ven, and the others were fled into England
“ for the murther of David, WITH MURRAY’S LET-
“ TERS OF COMMENDATION TO THE EARL OF
“ BEDFORD); that he cast in his mind to *make him*
“ away. But whereas, through youthly heat, he
“ could neither conceal his thoughts, nor durst
“ execute them (such was his observance towards
“ the *Queen* his wife); he told her, that it would
“ be for the good of the commonwealth, and the
“ security of the royal family, if MURRAY were
“ made away. She, detesting the matter, terrified
“ him with threats from such purposes; hoping
“ again to reconcile them. But he, *stomaching*
“ the power which the bastard had with the *Queen*
“ his sister, through impatience communicated
“ the

“ the same design to others. *When this came to*
 “ *Murray's ears*, he, TO PREVENT THE SAME, un-
 “ der colour of duty contriveth *more secret* plots
 “ *against the young King's life*; using MORTON's
 “ counsell, though he were absent.

“ THESE TWO, above all things, thought it best
 “ utterly TO ALIENATE THE QUEEN'S MIND FROM
 “ THE KING, their love being not yet well re-
 “ newed; and TO DRAW BOTHWELL INTO THEIR
 “ SOCIETY, who was *lately* reconciled to Murray,
 “ and was in great grace with the Queen; PUTTING
 “ HIM IN HOPE OF DIVORCE FROM HIS WIFE, AND
 “ MARRIAGE WITH THE QUEEN, AS SOON AS SHE
 “ WAS A WIDOW. To the performance hereof,
 “ and to defend him against all men, they bound
 “ themselves under their hands and seals; sup-
 “ posing that, if the matter succeeded, they could
 “ with one and the same labour *make away the*
 “ *King, weaken the Queen's reputation amongst the*
 “ *nobility and commons, tread down Bothwell, and*
 “ *draw unto themselves the whole managing of the*
 “ *state.*

“ Bothwell, being a wicked-minded man, blinded
 “ with ambition, and thereby desperately bold to
 “ attempt, soon laid hold on the hope propounded,
 “ and lewdly committed the murther; whilst MUR-
 “ RAY, scarce fifteen hours before, had withdrawn
 “ himself farther off to his own house, *lest he should*
 “ *come within suspicion*; and that he might from
 “ *thence, if need were, relieve the conspiratours,*
 “ and the whole suspicion might light upon the
 “ Queen. [A rumour was forthwith spread all over

“ Britain, laying the fact and fault upon MORTON,
 “ MURRAY, and other confederates* : they, in-
 “ sulting over the weak sex of the Queen, lay it
 “ upon her.] No sooner was HE returned to the
 “ court, but HE and THE CONSPIRATORS com-
 “ mended Bothwell to the Queen for an husband ;
 “ as most worthy of her love, for the dignity of his
 “ house, for his notable service against the Eng-
 “ lish, and his singular fidelity.—

“ NOW THE CONFEDERATES whole care and la-
 “ bour was, that Bothwell might be acquitted of
 “ the murder of the King: A parliament, there-
 “ fore, is forthwith summoned for no other cause ;
 “ and proclamations set forth, that such as were
 “ suspected of the murder should be apprehended.
 “ And whereas Lenox, the murdered King’s father,
 “ accused Bothwell to be the murderer of the King,
 “ and instantly pressed, that he might be brought to
 “ his trial before the assembly of the estates began ;
 “ this also was granted. And Lenox was com-
 “ manded to appear within twenty days, to prose-
 “ cute the matter against him. Upon which day
 “ —Bothwell was arraigned, and acquitted by sen-
 “ tence of the judges, MORTON MANAGING HIS
 “ CAUSE.

* Buchanan plainly hints at this, when he says, that “ Hunt-
 “ ly and Bothwell—had befor daylight causit, be speciall for-
 “ appointit messingeris, rumouris to be spred in Ingland, that
 “ the Erles of Murray and Mortoun wer doeris of that slauch-
 “ ter” (Detection, 20, Anderson, ii. and 244, Jebb, 1).
 And Crawford’s Memoirs confirm both ; saying, that men
 “ of the first rank in the nation firmly believed Murray and
 “ Mortone the authors,” p. 13.

“ This business being dispatched, THE CONSPI-
 “ RATOURS *so wrought the matter*, that very many
 “ of the nobility assented to the marriage, setting
 “ their hands to a writing to that purpose; lest he,
 “ being excluded from his promised marriage,
 “ should accuse them as contrivers of the whole
 “ fact. By means of this marriage with Bothwell,
 “ —the suspicion grew strong amongst all men,
 “ that the Queen was privy to the murder of the
 “ King; WHICH SUSPICION THE CONSPIRATORS
 “ INCREASED, BY SENDING LETTERS ALL ABOUT;
 “ and, in secret meetings at Dunkeld, they pre-
 “ sently conspired the deposing of the Queen, and
 “ the destruction of Bothwell. Yet MURRAY, that
 “ he might seem to be clear from the whole con-
 “ spiracy, craved leave of the Queen to go into
 “ France. Scarce was he crossed over out of
 “ England, when behold! THOSE which *had ac-*
 “ *quitted Bothwell from the guilt of the murder,*
 “ *and gave him their consent under their hands to*
 “ *the marriage*, took arms against him, as if they
 “ would apprehend him; whenas indeed THEY
 “ GAVE HIM SECRET NOTICE, TO PROVIDE FOR
 “ HIMSELF BY FLIGHT: and this to no other
 “ purpose, but LEST HE, BEING APPREHENDED,
 “ SHOULD REVEAL THE WHOLE PLOT; and that
 “ *they might alledge his flight*, as an argument to
 “ *accuse the Queen of the murder of the King.*
 “ Having next intercepted her, they used her in
 “ most disgraceful and unworthy manner; and,
 “ cloathing her in a vile weed, thrust her into pri-
 “ son at Loch-levin, under the custody of MUR-

“RAY’s mother; who, having been James the Fifth
 “his concubine, most malapertly aggravated the
 “calamity of the imprisoned Queen; boasting that
 “she was the lawful wife of James the Fifth, and
 “that her son MURRAY was his lawful issue *.”

All these accounts unite together, to form such a powerful body of evidence, as supercedes the necessity of any other. Indeed, every thinking mind must be amazed on the review of it; that such testimonies have not long since settled the reputation of Mary on a solid basis, and rendered all further attempts to vindicate her superfluous. But the Bishop’s Defence, as I shall show hereafter †, was carefully suppressed by the tyranny of the Masculine Queen. The writing subscribed by the peers of Scotland, was locked up in the register of Mary, and among the papers in the Cotton library. And as Camden’s history of Elizabeth came not out, till near half a century had passed over the transactions, and till the slanders against Mary had made a deep impression, upon the yielding faith of the nation; so it lay long sequestered from the generality of readers, by being confined to its original Latin.

Murray and Morton, then, were the *first projectors* of the murder. They afterwards engaged Lethington, Bothwell, and others, in it. “Is it not
 “ful wel known, think ye,” says the Bishop of Ross in another place to Murray, “that YE and

* Camden, p. 88, and 91—94, of translation; and 110, 113—117, of original, i.

† Appendix, N^o xii.

“ the

“ the Earles BOTHWEL, MORTON, and others, as-
 “ sembled at the castle of Cragmiller, and other
 “ places, at divers times, to consult and devise
 “ upon this mischief? If neede were, we could
 “ rehearse and recompte to you the whole summe
 “ and effect, of the oration made by *the most eloquent*
 “ among you,” LETHINGTON; “ to stirre up, ex-
 “ horte, and inflame *your faction then present*, to de-
 “ termine and resolve themselves to dispatche, and
 “ make a hand with, the L. Darley *.” And they
 at last proceeded, to form a written association ex-
 pressly for the purpose. “ We can tel you,” says
 the Bishop, “ that there were INTERCHANGEABLE
 “ INDENTURES MADE AND SUBSCRIBED BY YOU ;

* Anderfon, i. 76. So Paris's first confession says, by the mouth of Bothwell, that they had intended to have murdered Darnly, “ the last time—we were at Craigmillar” (Goodall, i. 140). Ormeston's confession says the same; affirming, that “ the haill lords—concludit the samen in Craigmiller, all that
 “ wes ther with the Quein;” that “ the haill—concludit—
 “ *he sould be put off* be ane way or uther;” and that this conclusion was taken, “ ane quartur of ane year before the deid
 “ was done” (Arnot's Criminal Trials, 384 and 386). All explains the proposal made to the Queen at Craigmillar, by Murray and Lethington *the projectors* of it, of *divorcing* her from the King, and of making her *quit* of him; in that proper and bloody signification of it, which Huntly and Argyle give it (Goodall, ii. 320), but which has been over-looked since, for want of observing this connection. Even Huntly, Argyle, and various other nobles of Scotland, declare under their hands in a passage cited immediately before; that the proposal at Craigmillar was, either to divorce her from him, to get him convicted of treason, “ or quhat utherwayis to despeche him.” And Ormeston says, that he was to “ be put off *be ane way or*
 “ *uther.*”

“ that he, which had the best opportunitie offered
 “ to make him away, should furthwith take it in
 “ hande, and dispatch him. We can tell you,—
 “ that John Hepborn,” at his execution, “ did
 “ openly say and testifie;—that—HE HIMSELFE HAD
 “ SENE THE INDENTURES—we spake of*.” And
 even Buchanan, with a view to this very confession,
 in the apocryphal part of *his* has inserted, no less
 than three allusions to these indentures. That very
 John Hepburne is introduced saying, “ Item, as
 “ touching Schir James Balfoure, he saw not HIS
 “ SUBSCRIPTIOUN; bot I warrant zow he was the
 “ principall counsellar and devyser †.” The same
 man is also made to say thus: “ Surely I thocht
 “ that nicht that ye deid was done, that, althocht
 “ knowledge fuld bene gottin, na man durst have said
 “ it was evill done, seing THE HAND-WRITTIS ‡.”
 And Dalgleshe is said to have asked: “ Gif I die
 “ for this,—quhat sal be done to thame, quha was
 “ ye devyseris, counsellaris, SUBSCRIVERIS, and
 “ fortifieris, of it ||.”

Thus fortified by a number of subscriptions, the
 plotters set to work at Kirk-a-field, upon their
 murderous project. In the five or six last days of
 the Queen’s absence, they dug their mine under

* Anderson, i. 76.

† Ibid. ii. 159.

‡ Ibid. 160.

|| Ibid. 162. See also Stuart, ii. 140. Paris’s first confession
 also speaks of “ the handwrits” of Morton and others (Good-
 all, i. 140). And Ormeston speaks of “ ane contract” as
 read to him by Bothwell, in which “ the haill nobilitie and
 “ lords undersubscryvand” bound themselves to murder Darn-
 ly, and which was “ subscryvit be them all ane quartur of ane
 “ year before the deid was was done” (Arnot, 385—386).

the house, and they charged it with powder. This could not possibly have been done, *after* the King came to lodge in the house. It could have been done only in the interval, between the hiring of the house and the taking possession of it. Accordingly, the indictments against Morton and against Douglas respectively import, that they had each been conspiring the death of the King, in the month of *January*, as well as February, 1567 *. And the Queen placed Darnly in the house at Kirk-a-field, on the 30th of January 1567 †.

Even then, nothing but the solitariness of the site could have befriended the conspirators; the house having only one great building near it, that two uninhabited at the time, and some alms-houses. The inhabitants of these, no doubt, must have heard the laborious work going on. They were therefore sent for and examined, the afternoon of the murder. But what *would* be made out of their relations, when Morton, Bothwell, and Lethington were their examiners? Buchanan's account of their examinations, is probably true. "Ane few pure folkis," he says, "*ye nixt dwelling nichbouris to ye Kingis ludgeing*, being callit, nouthur durst tell quhat they had *sene* and *hard*; and gif thay twichit ony thing neir the mater, outhir yai wer with feir put to silence, or dispyfit as of na credite ‡."

But, in the name of common-sense, why was not THE OWNER OF THE HOUSE sent for? He had kept

* Arnot, 9 and 389.

† Appendix, N° x.

‡ Anderson, ii. 82, and Jebb, i. 265.

† An-

the keys of the whole in his own possession, to the hour of the King's arrival; lending some of them in the mean time to the royal servants, for the introduction of furniture. Accordingly Thomas Nelson, who was "servant of the chamber" to Darnly at the time, deposes; that "the keyis of
 "the lugeing wes partlie standing in the duris, and
 "partlie delivered to this deponar be the awner,"
 at the King's arrival*. He must therefore have furnished the murderers with the keys, for their admission into the house. He must have been privy to the whole contrivance, even while it was prepared for execution. And what gives a decisiveness to the evidence, when he showed what keys were in the doors, and delivered up the rest to this servant of the King's chamber; he delivered
 "all except the *key of that door, quhilk passed through*
 "*the cellar and the town-wall*; QUHILK COULD NOT
 "BE HAD †." Hence Buchanan says, that, "quair-
 "as the uther keyis of that ludgeing wer in cus-
 "todye of the Kingis servandis, Paris, be fenzeing
 "certane fond and sclender causis, had in keiping
 "the keyis quhilk Bothwell kept back, of the
 "back-gate and THE POSTERNE ‡." It was only one that was kept back, as is evident above, that of the postern; this entrance being, according to Buchanan himself, "ane posterne-dure in the towne-
 "wall, hard be the hous, quhairby thay micht esilie
 "pas away into the feildis ||." This was kept back,

* Goodall, ii. 244.
 ii. 21, and Jebb, i. 244.

† Ibid.
 || Ibid. 18 and 243.

‡ Anderson,

no doubt; that they might enter from the fields into the house, in order to set fire to the mine. Buchanan therefore adds in another place, that “thay thocht it not aneuch to have *set oppin* the “*posterne in the wall*, to let in theifis thairat,—bot “*alfwa*,” &c. * The owner was plainly in the plot, by suffering such a key to be withheld, and by not supplying its place with another key and another lock. And the owner is actually noticed in the confession of James Ormeston, one of the murderers, as being engaged in the conspiracy with them, and even as having furnished them with keys †.

But who was he? Thomas Nelson speaks of him, as “Robert Balfour, awner ‡.” He was most probably, therefore, a relation to Sir James Balfour ||. There were several brothers and cousins, I apprehend. In a forgery of Buchanan’s, which has never been noticed, but is more glaringly detected than any other, because it is the substitution of a false letter in the room of a genuine one; he has made Lord Lenox to mention “Mr. James “Balfour, and Gilbert Balfour his brother §.” In the

* Anderson, ii. 69, and Jebb, i. 261.

† Arnot,

385.

‡ Goodall, ii. 244.

|| For this reason it is, I suppose, that the King is said to lie “in a lodging laitley bocht by Maister James Balfour, Clerk “Register” (Knox, 404).

* Lenox’s real Letter.

Buchanan’s Forgery.

“Pleisit zour Majestie, my
“humill petition was onto
“zour Hienes, and zett is,
“that

“Pleisit zour Majestie, *for*
“the ressait of zour Heichnes
“letter, I have still luikit that
“*sum*

the same strain of forgery, he represents John Hay the younger as declaring in his confession, that
 “ he

“ that it may pleifs zow not
 “ onelie to apprehend, and put
 “ in sure keipyng, the per-
 “ sonis namitt in ye tickatts,
 “ quhilk answerit to zour Ma-
 “ jestie’s first and second pro-
 “ clamationis ; but als, with
 “ diligence, to assemble zour
 “ Majestie’s hell nobilitie, and
 “ yan, be oppin proclamatioun,
 “ to admonyshe and requyre
 “ the writtairs of ye said
 “ tickatts to compeir, ac-
 “ cordyng to the effect thair-
 “ of ; at quhilk tyme, gyf
 “ thay do not, zour Majestie
 “ may, be ye advyse of zour
 “ said nobilitie and consell,
 “ releif and put to libertie
 “ ye personis in ye tickatts
 “ forsaid ; and for ye namis
 “ of ye personis foirsaid, I
 “ merwell that ye famyn has
 “ bene keipit fra zour Ma-
 “ jestie’s aeirs, considering ye
 “ effect of ye said tickatts,
 “ and ye names of ye per-
 “ sonis is swa oppinlie taulkit
 “ of ; that is to say, in ye first
 “ tickat ye Erle Bothwell,
 “ Maister James Balfour, Mr.
 “ David Chalmirs, and blak
 “ Johne Spens ; and in ye
 “ second tickatt, Synzour
 “ Francis

“ *sum of the bludy murthereris*
 “ *suld have bene oppinly knawin*
 “ *or now ; and seing thay ar not*
 “ *zit, I cannot find in my hart*
 “ *to conceill the mater ony lan-*
 “ *ger, bot let zour Majestie un-*
 “ *derstand the names of tham*
 “ *quhome I greitly suspect,*
 “ *that is to say, the Erle Both-*
 “ *well, M. James Balfour, and*
 “ *Gilbert Balfour, his brother,*
 “ *M. David Chalmers, blak*
 “ *Maister Johne Spens, Sein-*
 “ *ziour Frances Bastiane,*
 “ *Charles de Burdeaux, and*
 “ *Joseph, David’s brother.*
 “ *Quhilk persounis I fall maist*
 “ *inteirly and humblie beseik*
 “ *zour Majestie, that according*
 “ *to my former petitioun unto*
 “ *zour Heichnes, it will pleis*
 “ *not only to apprehend and*
 “ *put in sure keiping ; but als*
 “ *with diligence to assembl*
 “ *zour Majestie’s haill nobilitie*
 “ *and counsell, and then to*
 “ *tak sic perfite ordour of the*
 “ *foirnamit personis, that thay*
 “ *may be justly tryit : as I dout*
 “ *not, bot in sa doing ye spirite*
 “ *of God sall wirk in the said*
 “ *mater, as the treuth sall be*
 “ *knawin. Sa sall zour Ma-*
 “ *jestie do ane maist godlie and*
 “ *honorabill*

“ he saw Schir James Balfoure put in his awin
 “ name, and his brotheris, unto my Lord Both-
 “ wellis remiffioun *.” And John Hepburne says
 in one of Bellenden’s confessions, that the evening
 of the murder “ my Lord ” Bothwell, and, as the
 rebel journal adds † (but falsely according to this
 confession), Mary with him, “ suppit in Maister
 “ Johne Balfour’s hous, quhare the Bischop of
 “ Argyle made the banket ‡.” All these three,
 John, Gilbert, and Robert, I take to have been
 relations to Sir James; one of them certainly a
 brother, and the other two most probably cousins,

“ Francis Bastiane, Johne de “ Bourdeoufs, and Joseph, Da- “ vryis brother; quhilk per- “ sonis, I assuere your Ma- “ jestie, I, for my part, greitlie “ suspect; and now, your Ma- “ jestie knowing yair namis, “ and being ye partie als “ weill, and mair nor I am, “ althocht I was ye father, I “ dout not bot your Majestie “ will take ordour in ye ma- “ ter, accordyng to the wecht “ of ye cause, quhilk I maist “ inteirlye and humillie be- “ seik. Sa committs your “ Majestie to ye protectioun “ of Almychty God, xvii of “ March, 1566” (Anderson, i. 47—48).	“ <i>honorabill act for yourself,</i> “ being the partie as ze ar. “ <i>And ane greit satisfactioun</i> “ <i>it shall be to all that belangis</i> “ <i>unto him yat is gane, quha</i> “ <i>was sa deir unto your Heich-</i> “ <i>nes.</i> And now, not doutit “ bot your Majestie will tak “ ordour in the mater, ac- “ cording to the wecht of the “ caus, quhilk I maist humblye “ beseik; I commit your Ma- “ jestie to ye projectioun of “ ye Almychty God, <i>quha</i> “ <i>preserve zow in belth, long</i> “ <i>lyfe, and maist happy reigne.</i> “ <i>Of Howstoun, this xvii of</i> “ <i>March</i>” (Anderson, ii. 111—112).
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* Anderson, ii. 161.

† Appendix, N° x.

‡ Anderson, ii. 184.—This is the house mentioned in De-
 tection, 7, Anderson, ii. and Jebb, i. 23.

to him. He was at that time in the highest intimacy with Bothwell. With him Bothwell left his counterpart of the "interchangeable indentures," for the murder of the King*. With him also Bothwell left the original bond of association, for his own marriage to the Queen. And with him, *therefore*, did the rebels pretend he had left the casket of Mary's letters, &c. He engaged his cousin Robert, probably, in the murderous conspiracy. He induced him to admit the leaders and their mining party, within the house. Accordingly, Sir James was early pointed at in those clandestine papers, which were put up by *one of his own faction* in some publick parts of Edinborough; and which were intended, no doubt, by Morton and the others, to throw off all detestation of the deed from themselves, and to fix it upon the shoulders of Bothwell and his retainers†. So early did these new friends of Bothwell shew their readiness to brand him with the crimes, to which they had impelled his too ready spirit, and in which they had assisted his too active hand. Sir

* "Sir James Baford [Balfour], condemned of the slaughter of the King's father, hath been called into the realm by Lennox [the second Lenox], without the privity of the King. And whereas the said Sir James found *in a green velvet desk, late the Earl of Bothwell's*, and saw, and had in his hands, THE PRINCIPAL BAND OF THE CONSPIRATORS IN THAT MURDER, and can best declare and witness who were authors and executors of the same," &c. (Robertson, ii. 463.)

† The person who put them up was James Murray (Anderson, i. 38), afterwards rewarded with the comptrollership of the customs (Keith, 442).

James's

James's brother, Gilbert, seems from Buchanan's letter and Buchanan's confessions above, to have been equally suspected by the generality, and equally pointed at by the intimations of the other conspirators. He appears to have actually been so, from a partial copy of one of those clandestine papers, which has been preserved by Cecil, and runs thus: "I, according to the proclamation, have
 " made inquisition for the slaughter of the King,
 " and do find the Earl Bothwell, Mr. James
 " Beafour [Balfour] parson of Flisk, Mr. David
 " Chamber, and black Mr. John Spence, the
 " principal devisers thereof; *and if this be not true,*
 " *spir* [enquire] *at Gilbert Beaufour* [Balfour]*."

And

* Cabala, part, 1st, p. 126. These *tickets*, as they are called in that language which is still preserved in the West of England, are universally said to have been affixed to the door of the tolbooth at Edinborough. Some undoubtedly were; as Lenox, in one of his letters to Mary, calls them expressly "ye
 " tickatts, that was affixit apoun the towbuith dure of Edin-
 " burgh" (Anderson, i. 47. See also i. 38). But they were equally set up in other places. "Forfamekle as be ane li-
 " centious abuse," says an act of parliament at the time,
 " enterit laithlie,—thair hes bene placardis, and billis, and
 " tickittis of defamatioun, set up under silence of nycht in di-
 " verse publict places, als well within burgh as utherwyse
 " within the realme," &c. (ibid. i. 126). In the famous bond for Bothwell's marriage to Mary, these are equally, as in Lenox's letter, confined to one place, but to a place *different from his*. Bothwell, it says, "being not onlie bruitit and
 " calumniat be placartes privilie affixit *in the public places of*
 " *the kirk of Edinburgh*, and utherwayes, sklanderit," &c. (ibid. i. 107—108). Spotswood says there was "a placard
 " affixed on the market-cross," and there were "libels and
 " placard

And "Robert Balfour" the "awner" of the house at Kirk-a-field, we see, was expressly mentioned by Nelson, as withholding the key of the postern from him, and retaining it in his own hands to the last; and expressly accused in Ormeston's confession, of furnishing the murderers with keys.

But there must have been a servant of the King's, "placard affixed on the door of the senate-house" or tolbooth (200 and 201). And Blackwood, a cotemporary writer, says they were fixed up "aux carrefours de la ville" (Jebb, ii. 216). These libels, therefore, were actually set up on the doors or corners of St. Giles's church, on the market-cross, and at the crossings of the streets; as well as on the door of the tolbooth. Accordingly we are told in Crawford's Memoirs, 128, on a later occasion, that it was "often posted up upon the market-cross, church-doors, and other conspicuous parts of the city, that," &c. Spotswood also tells us, that Bothwell, on his acquittal, "set up a paper in the most conspicuous place of the market," challenging "any one to accuse him;" and that "the next day in the same place, by another writing, answer was made," (201 and 202). And this accounts for the variation in the papers, as given us by Lenox, by Buchanan, and by Cecil; though all said to have been pasted upon the tolbooth (Anderson, i. 47—48, ii. 156, and Keith, 368).

Gilbert was peculiarly worthy, to be brother to Sir James. He had been intrusted with the castle of Kirkwall in Orkney, as Sir James had been with the castle of Edinburgh. Both had been intrusted with them by Bothwell. And Gilbert, imitating Sir James's conduct, maintained Bothwell's own castle against him. On Bothwell's passage from Dunbar to the North, his "purpose was to have remained in the castle of Kirkwall," which must have belonged to Bothwell as Duke of Orkney;—"but Gilbert Balfour would not receive him" (Spotswood, 213). History perhaps, in all its wretched variety of characters, does not exhibit such another pair of brothers as this, brothers equally in blood and in perfidiousness.

equally

equally in the plot against him. This was his cellarer. In the cellar had the mine been dug. "Thay keipit with thame selfis," says Buchanan, "the keyis of twa dures; the ane of the LAICHER ROWME, quhair they had undermynit the wall, "and fillit the hoilis with gune-powder*." Many marks therefore of the digging, must have been apparent to him. A part of the powder had even been put, as the indictment against one of the actors imports, "within the vaults, low and "dern parts and places, of the lodging." He must accordingly have seen it there. But as the same indictment informs us, that the mine itself had been sunk "under the ground, and angular "stands, of the building;" the whole house must have been propped previously to the sinking, and have continued propped during all the period before the firing of it, by large beams of timber in the cellar. Accordingly Buchanan, who frequently gives us strong sprinklings of truth amidst his mass of fiction, speaks of the house as "REVIN and ruinous;" and as one that "of itself wald haif "fallin downe, GIF IT HAD NOT BEEN BOTCHED UP "FOR YE TYME, to serve ye turne of yis nichtis "sacrifice†." And the diggings, the powder, and the props, must all have spoke with the force of a flash of lightening, to the eyes and the understanding of the cellarer. He was, therefore, obliged to be let into the secret of the plot. So let, when Balfour

* Anderson, ii. 69—70, and Jebb, i. 261, derfon, 18, and 66, Jebb, 260, and 243.

† An-

the owner did not produce, and said he could not find, the key of the postern in the cellar; “Bonkle in the fellar said,” as Thomas Nelson informs us, “he fuld clois it weill aneuch within*.” Yet he never closed it, as the event shows. And because “Bonkle had the key of the fellar,” as Nelson equally informs us, and as his office required him to have; while Betoun and Paris, by virtue of *their* office, had the keys of the Queen’s chamber above†; Buchanan with great propriety represents the murderers, as having equally the keys of the chamber, the cellar, and the postern, in their own possession. “THAY thocht it not aneuch to have set
 “oppin the postern in the wall, to let in theifis
 “thairat—; bot als wa THAY keipit with thame-
 “selfis the keyis of twa dures, the ane of the
 “laicher rowme quhair they had undermynit the
 “wall, and fillit the hoilis with gune-powder, and
 “the uther of the upper rowme‡.” And from the plain connection between this attempt upon the life of the King by powder, and that immediately preceding by poison, we are naturally led to suppose; that, as the King’s cellarer was clearly concerned in the one, he was equally concerned in the other; that he was the man, by whom the poison was secretly administered to the King; and that he administered it to him, in some of the King’s liquors under his care.

In these clear evidences of an union between Balfour, the owner of the house, Bonkle, the cel-

* Goodall, ii. 244.
 ii. 69, and Jebb, i. 261.

† Ibid. 243.

‡ Anderfon,

larer of the King, and the band of murderers; it appears surprizing at first, that neither of those two persons was ever called before the privy council, to be examined concerning the fact. But the wonder ceases, the moment we reflect on the circumstances. The principal persons in the council, had been actually concerned in the murder. We have accordingly seen Buchanan's account, concerning the examination made by the council, of the poor people that lived in the adjoining almshouses. Let us now see another, that he gives of the same incident, but more full and circumstantial. "The day following at efternoone," he says, "—Bothwell, the principal doer of the vyle act, " with certane *utber that wer previe to the same*;" probably Morton, Lethington, Sir James Balfour clerk of the register, Sir John Bellenden clerk of the justiciary, and Sir William Murray comptroller of the household*; "assemblit togidder with the " Erle of Argyle—: first, as thocht yai had bene " utterly ignorant of all yat ever was done, yai " begin to wonder at the—mater.—Then thay be- " gin to be busie a lytill about yair inquiryrie: they " fend for ane few pure fillie *wemen*, that dwelt " thairabout; quhilk pure fauls standing in dout, " quhidder it wes better for thame to tell or hald " yair peace, thocht [though] thay danetily temperit " yair speich, zit *quhen they had blabbit out sumthing* " *mair then ye judges lukit for*, thay wer dismissit " again as fuillis, that had bot undiscreitly spoken.

* Anderson, i. 38, 50; Keith, App. 113, 124, and 163; and Knox, 391.

“ For thair testimoneis, *thocht* [though] *thay twichit*
 “ *sum folkis schrewitly*, zit thay wer sic as thay might
 “ efilie set light by *.

After these was called Thomas Nelson, the only survivor of the servants then in the house †. “ A-
 “ mangis utheris thingis,” he says himself, but he ought in honesty to have told us what the “ utheris
 “ thingis” were; he “ was enquired about the keyis
 “ of the lugeing.” The lords knew the murder to have been by a mine, as is plain from their proclamation of the next day but one, compared with the Queen’s letter of the very next day. They should therefore have enquired principally, concerning the key of that cellar, which must have been the seat of the mine, and the key of that postern, which must have been the private entrance into it. But do they? Let Nelson himself tell. “ This deponar schew, that Bonkle had the key of
 “ the fellar, and the Quenis servandis the keyis of
 “ hir chalmer ‡.” What connection could there possibly be, between a mine in the cellar and the bed-room of the Queen? None certainly. Yet he relates who had the keys of her bed-room; while he forgets to relate a much more material circumstance, and to tell the council who had the key of the postern. He forgot it now, though he remembered it very well, nearly two years afterwards. Nor did the council remind him of his forgetfulness. They did not even send for Bonkle, who

* Anderson, ii. 24, and Jebb, i. 245.
 and Goodall, ii. 245.

† Ibid. ibid.

‡ Goodall, ii. 245.

had been charged by him with having the key of the cellar, and who had taken care not to be in the house the night it was blown up *. And it is the less to be wondered at therefore, that they did not send for Balfour the owner of the house.

“ The laird of Tulybardin,” who afterwards embarked deeply in the rebellion, and was brother to the James Murray, that in private papers charged Bothwell and others with the murder ; “ hearing” Nelson’s account of the keys, belonging to the Queen’s bed-room and to the cellar, “ said, Hald “ thair, hair is ane ground.” He could not mean, as Dr. Robertson insinuates he did †, that here was any ground of accusation against the Queen. Her servants must necessarily have the keys of her chamber. He was then sitting also in her own council. Such an insinuation there, would instantly have drawn down the vengeance of the law upon him. And he only meant to intimate, that, in the account of the key of the cellar, there was a ground of suspicion against Bonkle. This there certainly was. This therefore, he intimated, ought to be pursued immediately, and before they proceeded any further. Nor did he say this, with a view of following the light given by Nelson, and of calling Bonkle to a strict examination. The factious character of the man, his factious connections, and the conclusion that he put to the whole, all forbid us to suppose it. He said so, in order to stop the enquiry, under pretence of prosecuting it ; to prevent any questions that might immediately

* Goodall, ii. 245.

† Diss. 17—18.

have ensued, concerning the key of the postern; to put off the present informer, under the show of sending for the other; and then to evade the examination of both for ever. "EFTER QUHILK WORDIS "SPOKEN," says Nelson, "thay LEFT OFF, and "proceeded na farther IN THE INQUISITION *." And, as Buchanan very usefully adds, "sa the enquiry, for maneris sake, was continewit," was adjourned to another day; "bot INDEID SUPPRES- "SIT, for feir *leist*, gif *thay proceidit further*, the "SECREITIS OF THE COURT," of the combined murderers then in the court, "NICHT HAPPIN TO "BE DISCLOISIT †."

SECTION IV.

THE first effective step towards the murder, then, was the formation of a mine under the house. This would be a work of some labour and some time. The house also must have been propped up, carefully and firmly, within. It would otherwise have come down, upon the heads of the miners.

* Goodall, ii. 245. † Anderson, ii. 25, and Jebb, i. 245. So p. 82, "then was the inquiry adjornit, and never "recontinewit" (Jebb, i. 265). And yet Dr. Robertson endeavours to draw a charge against Mary, from this remissness of the *murderers* in investigating their own murder, Diff. 17—18.

Flectere si nequeo superos, ACHERONTA movebo.

But

But must not the introduction of beams of timber, large and strong enough for the support of two stories of rooms, have required too many hands, and have occasioned too great a stir, not to be noticed? Or would the work of preparing the house for the King's reception, be used as a pretence to cover it; the latter going on in the day, and the former in the night; and both being made to appear to the only neighbours, the women in the adjoining alms-houses, as parts of one plan? In all probability, the women saw and heard nothing of the beams of timber coming in. They were brought in by the postern. The men also, that introduced and fixed them up, went backwards and forwards through the postern. The women could there see nothing, of their operations and movements. The town-wall rose high and broad before. And there was only the fields behind. Yet they could not but hear the noise, of some of the operations. The fixing of the timbers in the ground, the attaching of them to the beams, the noise of the pick-axes in digging, and the voices of the men in working, must necessarily have been heard in the stillness of the night, and could not but have attracted their attention. Yet all would naturally be referred, to that haste of preparations for the King's arrival, which required the night to be added to the day. Nor would any idea so extravagant, as that of a plot for blowing up the house, have ever started into their heads. Afterwards indeed, when the fact had been done; and the confuseness of amazement and terrour had a little subsided, at an ex-

plosion so dreadful and so near; their memories would endeavour to trace with attention every circumstance, that might seem to lead to a discovery. They had heard noises in the house by night. They had seen lights in the cellar. And they told, says Buchanan, all that they had "seen" and "heard."

In the mean time the Queen's workmen, who were there by day fitting up one bed for the King, and others for his immediate attendants*; saw nothing of the preparations making, to blow up the attendants and the King in the air. These were all confined to the cellar. Into that they had no occasion to go. Balfour, the owner of the house, kept the key. He was in the plot. He would, therefore, take particular care to keep it. Even, when he gave it up on the King's arrival, he gave it to Bonkle; who was equally in the plot, and would prevent any attempt of the other servants to enter the cellar. And the pretended loss of the postern-key, and the pretended closure of the postern-door within, precluded all desires in them, of passing through the cellar and the town-wall into the fields†.

Yet which of the conspirators were peculiarly concerned, in this first act of the bloody tragedy? Bothwell certainly was not. He went with the Queen towards Glasgow on the 21st, and did not return till the 23d at night. On his return, however, he lay not at his own lodgings in the palace, according to the rebels, but went into the city,

* Goodall, ii. 244—245.

† Ibid. *ibid.*

and slept there *. They mean most probably, that he slept at Sir James Balfour's. Early the next morning he went to Kirk-a-field with Sir James, as they tell us; and, as we must suppose, to view the works going on, and feast his eyes with the scene, in which he was not yet to take an active part †. And that evening, in order probably to prepare a body of troops among the soldiery of the *marches*, then under his command; he set off for Lydisdale, and did not return till the day before the King's arrival ‡. He had therefore no efficient part in the business, at present. The whole of the present operations, seems to have been managed by Morton, Murray, Lethington, and their adherents. Morton was undoubtedly engaged. In 1581 he was at last brought to that trial for the fact, which Murray escaped only by the stroke of assassination, and Lethington by the force of poison. But his indictment was drawn up in a very significant manner. It did not merely import, that he was concerned in the immediate act of the murder. No! It stated equally, that he was engaged in the previous part of it. It charged that, "in the moneths of Januarii and Febrii, in the yeir of God 1566 yeiris," he had plotted with others to murder the King "within the burgh of Ed",

* Appendix, N^o x. † Ibid. *ibid.* and Goodall, ii. 77.

‡ Appendix, N^o x. So Murray went away "to his own house" at St. Andrew's, just before the murder, says Camden; "lest he should come within suspicion; and that he might from thence, if need were, relieve the conspiratours" (Camden, Transf. 92, Orig. i. 115).

“ *pallice of Hallyruid-house, and uthers places ther-*
“ *about;*” that at last he murdered him at Kirk-a-
field, by blowing up the house with gunpowder;
and that “ *the powder* had been a little before *placed*
“ and *put in* by HIM and his accomplices, under
“ the ground, and angular stands, and within the
“ vaults, low and dern parts and places, of the
“ lodging;” with which it was blown up. So
precise an account had some of the King’s minis-
ters then procured, of the several parts which the
murderers had taken respectively in the work!
The jury also, say Crawford’s Memoirs, and the
record of the trial, “ being ripely advised with his
“ *inditement*, the TOKENS INFALLIBLE AND MOST
“ EVIDENT, with the probatiouns produced and
“ used for verifying thereof; DID ALL, WITH ONE
“ VOICE, find the said Earl of Morton guilty, arte
“ and parte, in the foreknowledge, and concealing
“ the King’s murder;” meaning by *arte and parte*
(a phrase still used in the criminal law of Scotland),
that he was proved a confederate and associate in
the murder. And David Moyse, then an officer
in the King’s household, informs us additionally in
his Memoirs; that the jury found him guilty,
“ in respect of SUNDRY EVIDENCES in his *dittay*
“ [indictment] presented to the assize [jury]; of
“ which some WERE SUBSCRIBED WITH HIS OWN
“ HAND,” the interchangeable indentures for the
murder of the King, produced by Sir James Bal-
four, who had been sent for on purpose out of
France; “ and otherways *it* was attested by the
“ DEPOSITIONS OF SOME PERSONS, ACTORS of that
“ horrible

“horrible fact *,” Balfour himself, probably, and others. Morton, therefore, was engaged in the act of sinking the mine and of charging it. Yet who were his accomplices? Murray, no doubt, was one. He generally indeed withdrew himself from the scene of action, when any violence was to be committed. He particularly withdrew himself from the murder. But he did not do so till the very day before. He was present during all the mining process. And he would be made by the rest, to take his share in it. Lethington, and Sir James Balfour, seem to have been equally there. The former is made by Murray in one of Paris’s confessions, to unite with Bothwell in recommending Kirk-a-field for the King’s residence †. I have also with me in this scheme of the murder, Bothwell is made by Murray to say in Paris’s other confession, “Lethington; who is esteemed one of “the best ingines or spirits of his country, who is “the enterpriser of all this thing.” And “both “Lyddington and the Lord Morton,” says Mary herself, “were assentyng to the murder of her husband; *as it cowlde well be proved ‡.*” Lethington was engaged undoubtedly in the general act §. But Balfour is expressly declared by Murray, in Paris’s second confession, “not to have slept all

* Crawford, 373; Moyse, 54; Robertson, ii. 463; Arnot’s Criminal Trials, 390 and 391; and Camden, Orig. i. 312, Transf. 258. † Goodall, ii. 78. ‡ Ibid. i. 140, and ii. 71.

§ See his own confession of his guilt to Morton, &c. in Goodall, i. 400, and Tytler, 246, from Banantyne’s continuation of Knox’s History, in Calderwood’s MS. History.

“one night, in preparing the lodging, and putting
 “the whole in order*.” He had been particularly
 employed, “in examining and determining, which
 would be the best way of access into the house †.”
 He is represented by one of Buchanan’s confessions,
 to have been “the principall counsellar and *devy-*
ser” of the murder. He appears to have had
 Bothwell’s part of the indentures for the murder,
 in his own custody. He was himself, says our
 Walsingham, “condemned of the slaughter of the
 “King’s father.” And he expressly required from
 Murray, on surrendering the castle of Edinburgh
 to him, “a remission for art and part of the King’s
 murder ‡.”

There were others, however, very deeply concerned in this black transaction. There were some, who have never been suspected. And let me now drag them forth to the publick eye.

“The continuator of Hollinshed (who seems to
 “have been *better acquainted than any of his cotem-*
poraries, with the affairs of Scotland) is of opi-
 “nion; that this confession,” the confession con-
 cerning the murder, published as made by Morton
 before he went to the block, “is really an apology;
 “*drawn up for the Earl* by such of the presbytery,
 “as were present at his execution, and *favoured*
 “him in *all* respects, *seeking to clear him of any*

* Goodall, ii. 77—78. † Ibid. 81. ‡ Ander-
 son, ii. 159, Crawford, 50, and Robertson, ii. 463. See
 also Moyse, 48, for “Sir James Balfour, who was re-
 “turned to Scotland, and known to be culpable of the King’s
 “murder.”

“*evil imposed against him* *.” Such was it, in the opinion of that cotemporary and knowing author, *even as he had it*. Yet he had it much fuller, than we have at present. He had it, with a specification of the persons concerned in the murder with Morton. And the confession was then a *long* one, charging the *cause*, the *contrivance*, and the *execution*, upon the persons specified. “The same continuator, in the uncastrated edition of his history, intimates that he had a *copy* of the same confession; but that he omitted PART of it, OUT OF TENDERNESS TO PEOPLE LIVING †.” Even garbled as the confession was by the presbyterian ministers, who attended Morton to the scaffold; and who, to shade over the villainy of that grand supporter of Protestantism and forgery against Mary, presumed to make one forgery more; yet there was too much of the general villainy disclosed, for the continuator to publish what the Earl had confessed. “In his castrated edition he says, that “Morton OPENED A LARGE DISCOURSE, laying “the CAUSE, the CONTRIVING, and the EXECUTION of the murder, on GREAT PERSONS NOW “LIVING ‡.” Yet we have no such thing, in our present copies of the confession. Our best view of the confession, indeed, is what is exhibited to us by this author. And he owns he kept this important part out of sight. But, though he suppressed the part, he intimated in general the contents of it. Of these he spoke too plainly, it seems, for his own

* Guthry's Scotch Hist. vi. 384.

† Ibid. *ibid.*

‡ Ibid. *ibid.* and Hollinshed, ii. 429.

quiet. "The hint given by Hollinshed's continuator concerning *living* persons, *procured an order* from court, for cancelling *that* leaf of this work among others *." And

Let the gall'd jade wince, our withers are un-wrung.

There is something in those passages indeed, that may well "wring the withers" of the guilty. They notice a mystery of iniquity, which has never been yet laid open. But let us follow the notice, and lay open the mystery.

Why should Francis Thynne, who continued Hollinshed's history of Scotland from the year 1571 to 1586, be averse to publish a part of Morton's confession in ENGLAND; and actually suppress that very part in ENGLAND, which the presbyterian ministers had published before in Scotland? He suppressed it, "out of tenderness to people living" in ENGLAND. *Some* of the persons specified by Morton, as equally concerned with himself in "the cause, the contriving, and the execution of the murder;" were persons equally then alive in ENGLAND. Nor could it be *merely* out of "tenderness" to them, that he suppressed what the ministers had not suppressed. It was also out of apprehensiveness for himself. For they were GREAT PERSONS. They were GREAT in ENGLAND. And to have such persons charged in ENGLAND, even by the dying words of Morton himself, with a share and concern in the murder; was sure to draw down vengeance, upon the head of the publisher.

* Guthry's Scotch Hist. vi. 385.

Yet who were these *great persons* of *England*, that were so charged? Since the author has suppressed all this part of the confession; and since we have no copy of the whole so perfect as his was, the ministers soon *garbling* more their own garbled copy*; it may seem impossible to point them out. Yet it is not. “The galled jade” did “wince,” and betrayed itself by the act. ELIZABETH and CECIL; who had interposed, probably, to have the copy more garbled; sent a tyrannical mandate, for cancelling a leaf of the impression. The author said he had *omitted* a *part* of the confession, “out of tenderness to people living.” This they commanded to be expunged. And as such a violent interposition of the crown for such a slight cause, shews clearly the situation in which he would have been, if he had *not* suppressed the part; so it plainly proves the QUEEN and the MINISTER, even in *their own* opinions, to have been some of the persons particularly meant by him.

Nor let it be thought incredible, that they should be parties in the murder. No one can doubt the competency of their principles for such an act, who only looks at their activities in the murder of Mary herself. The passages above speak loudly against them. They intimate them very plainly, to have been at the bottom of this whole transaction. And the refusal of Elizabeth to deli-

* Hence the copy in Crawford's *Memoirs*, 374—375, and the accounts in *Moyse*, 54—55, *Spotswood*, 313—314, &c. &c. The first copies, those of the continuator, were suppressed; and *these* circulated in their room.

ver Archibald Douglas, who “ was known to be “ guilty of the murther,” up to the vengeance of King James ; though “ the King had often, by his “ letters and ambassages, intreated the Queen of “ England to have him delivered * :” her concurrence, by means of her profligate embassadour Randolph, in a collusive trial, and in an infamous acquittal, of him at last † : and, what is still stronger than either, her wild and extravagant interference, her base tricks of fraudulence, and her daring efforts of violence, her moving earth and hell, to save Morton also from the arm of justice ; that very Morton too, who, even in his *garbled* confession, acknowledges he knew Archibald to be guilty of the murder, and who patronized and preferred him notwithstanding ‡ : these three very remarkable incidents concur with the passages above, to prove the deep concern of Cecil and Elizabeth, in the murder perpetrated by Morton and by Douglas.

It now appears indeed, that Elizabeth had a reason of a very particular nature, for endeavouring to save Morton, and probably Douglas too, from the punishment justly due for their crimes. Douglas probably, and Morton certainly, knew of *her* share in the murder. They might confess it. And then that consummation of hypocrisy and of savageness, which she had been practising ; in pretending to try Mary for a murder, of which she knew *herself* and the rebels to have been the joint authors ;

* Spotswood, 347—348.
wood, 310, and 314.

† Moyse, 108.

‡ Spots-

would be all exposed to the eyes of the astonished world. She therefore saved Douglas. But she could not save Morton. He confessed. This confession was thought so ample by James at the time, that he mitigated the original sentence against him immediately *. And it is pointedly referred to by Queen Mary herself, and with an addition of evidence, in a fine letter to Elizabeth soon afterwards. Awfully appealing to God against her, and even summoning her (as it were) to appear before the judicial throne of God, she thus writes. “ In his
 “ name, and as before him sitting between you and
 “ me,” she says, “ I will remind you, that by the
 “ agents, spies, and secret messengers, sent in your
 “ name into Scotland, while I was there, my sub-
 “ jects were corrupted, and encouraged to rebel
 “ against me, *to make attempts upon my person, and,*
 “ *in one word, to speak, do, enterprize, and execute*
 “ *that, which has come to the said country during*
 “ *my troubles :* of which I will not at present spe-
 “ cify other proof, than THAT WHICH I HAVE
 “ GAINED OF IT by the CONFESSION OF ONE,” or,
 as Camden in his abridgment of this letter says,
 “ *confessione ex MORTONII ipsius ore,*” “ who
 “ was afterwards amongst those that were *most*
 “ advanced for this good service, and OF THE
 “ WITNESSES CONFRONTED WITH HIM.”

Yet the presbyterian ministers, to whom it had been made, published it afterwards in Scotland under a softened form. Even under this form, how-

* Spotswood, 314.

ever, it durst not shew its face in England. The ministers had very naturally softened at first, only what related to Mary and Morton themselves. They had left all the rest, to stand as it stood before. The intimation particularly, concerning the share of Elizabeth and of Cecil in the murder, was left all un-altered. This was accordingly so powerful an evidence against them, that the historian could not venture to publish it. Yet he honourably informed his readers, that he had suppressed it. He informed them, that he suppressed it out of *tenderness* to some persons, then alive in England. He thus spoke very delicately. Nothing but consciousness could have understood the meaning, and nothing but guilt could have felt the force, of the intimation. Yet Elizabeth understood and felt. Elizabeth therefore stepped forward with all her habits of tyranny, to suppress it. The author was obliged to cancel the leaf, which he had printed. But then he was induced by the violence, in his new leaf to speak out concerning the persons meant, more openly than he had spoken before. Thus did that bold and impudent endeavour to vitiate the veracity of history, in order to screen a couple of concealed murderers, from the most distant glance of suspicion; terminate just as such endeavours should always do, and serve to call out an additional and plainer notification of them to the world. And the guilt of this wretched woman, Elizabeth, and the guilt of that wretched man, Cecil, appear too evident at last upon the face of the whole.

Indeed, as far as we can judge of the matter, the whole disposition of the murderous drama was this. The whole was originally planned and devised, betwixt Elizabeth, Cecil, Morton, and Murray. The preparatory part of the execution, was to be managed by Murray, Morton, and Lethington, with their respective partisans. But the act of setting fire to the mine, was to be done by Bothwell and his partisans. Only some of Bothwell's were to unite in the previous part, and some of Morton's at least in the final. Hence Morton appears to have been no more engaged in setting fire to the mine, than Bothwell was in digging it. Yet the assistance of Sir James Balfour was requisite in the digging; as it was by him, I suppose, they engaged the owner of the house in the plot, so got admittance for the present work, and secured an entry for the future. Some of Morton's immediate dependents also, as we shall soon see, were actually concerned with Bothwell in setting fire to the mine. And Elizabeth, we may be certain, was to defend the original and more iniquitous part of the conspirators, Morton and Murray; in charging their own murder upon the innocent Mary, and in forcing her into a marriage with Bothwell, that they might charge her the more effectually.*

S E C-

* Archibald Douglas, mentioned before as a murderer, and to whom I here allude as one of Morton's dependents, is said indeed by Morton himself, to have been "at that time a dependant upon Bothwell," Spotswood, 314. But this could only be a temporary dependance, and contrived by Morton for an insidious purpose on Bothwell. Douglas was actual *cousin* to

SECTION V.

In this state was the conspiracy and the house, at the time of the Queen's alighting before the latter, on January 30th, with the sick King in his litter. He and his attendants little thought of the bed of destruction, that was prepared for them below. He took up his residence in an upper room. This was hung with tapestry for him. A new bed, of black figured velvet, had been put up there. A large vat was also placed in the room, for the King's bathings. This, with an œconomical prudence which appears rather singular in the eyes of the present age, was covered with a door, that was taken off the hinges at the entrance of the house from the portal, as the portal had a pair of folding-doors to it. And, apprehensive of the new bed being sullied by the King's bathing in the vat,

Morton (Moyse, 46). He therefore speaks of himself, as "being so near of his kin" (Robertson, ii. 435). He was also concerned with Morton, in the murder of Rizzio (433). He was banished with Morton. He was then sent by Morton into Scotland, to negotiate for his return. He returned with him (434). He went from Morton to bring back Bothwell's answer concerning the murder (435). "Schaw to the Earl Morton," was the answer by the mouth of Lethington, "that the *Queen* will hear no speech of that matter appointed unto him." He was, after the murder, made a Lord of Session by Morton (Arnot's Trials, 7). And we may therefore be very sure from all, that, if he was at the murder, he was "sent for that purpose by the Earl of Morton" (Moyse, 49).

the

the Queen then ordered the former to be taken down, and an old travelling bed of purple to be placed in its room*. The zeal of Mary's enemies, enables us to relate these little particulars. They are harmless, but curious. And, in a few days, the Queen condescended so far in attention to her husband, as to order a bed to be set up in the house for herself. A green bed was accordingly set up for her, in the room below the King's. There she slept at times, to avoid the trouble and disagreeableness of going out late from the house, and *riding* in the night-air with her attendants, through the city to her palace. She slept there, say Buchanan and Knox, two nights in the week before the murder†. Thomas Nelson also deposes, that there “sche lay tua nychtis, viz, the Wednisday and Friday befor his murder‡.” But they are both mistaken. Nelson we may suppose to have orally deceived Knox and Buchanan; and Nelson himself to have been deceived in his memory, by the distance of time at which he made his deposition, on December the 8th, 1568, and two-and-twenty months after the murder. We have another account, however, in the second confession of Paris. This plainly studies *not* to contradict Nelson, and yet contradicts him directly. His, Knox's, and Buchanan's two nights it allows. But the former of the nights it expressly asserts at first, to have been either “Wednesday or Thursday,” and yet after-

* Goodall, ii. 244.
262; and Knox, 404.

† Anderson, ii. 71, Jebb, i.
‡ Goodall, ii. 244.

wards states it positively to have been Thursday*. And as such a variation between Paris, Buchanan, Knox, and Nelson, and such a variation in Paris himself, concerning such a circumstance, serve to confirm what I have so frequently pressed and proved before, the eternal uncertainty of forgery; so the assertions of all are compleatly disproved, by a paper of the highest authority. I have quoted already a letter of Mary's, which was written only the day after the murder. In this she says thus: "we lay
 " *the maist part* of all the last oulk [week] in that
 " same lodging †." And she therefore slept four or five days at Kirk-a-field.

The King and Queen lay in the right-hand, or southerly, rooms above and below. The King's communicated with a gallery on the southerly side of it, which was called the little gallery, and had been, I apprehend, the private dormitory of the provost. It had a window in the gable-end of the house, that looked through the wall of the town, into the gardens and fields beyond. It was a chamber annexed to the house, posteriorly to the building of the whole; having "a gret ston wall
 " betwixt the King's chamber and" it, and resting probably at the other end, upon a broad ledging in the substance of the town-wall. And, while an elderly attendant slept in the King's own room; a young son of this attendant's, and two servants of the King's chamber, lay in the gallery adjoining. But there must have been a couple of chambers

* Goodall, ii. 79—81, and i. 137.

† Keith, Pref. viii.

more, answering to those of the King and Queen, and a great gallery, answering to the little gallery upon the other side. Those rooms and this gallery formed apartments above, for Bonkle the cellarer, for Mackay and Glen, two more grooms of the King's chamber, and for Beton and Paris, when the Queen slept there; and for the Queen's lady in waiting, below. This second gallery, I suppose, was at the northern gable-end of the house, and originally the common dormitory of the prebendaries. It stood probably upon pillars, and so formed a cloister for walking below. Nor could the Queen, as she slept there the greatest part of the week before the murder, have been without some of her ladies attending upon her. And she actually had Lady Reres with her, every night. The house thus consisted of two rooms above, two rooms below, two galleries, and a cellar under all. The whole stood *endlong* to the town-wall. The southern gable-end, and the cellar, had each an opening through the wall. A garden lay behind the house, and ran along the wall. And in this, when the King was retired to rest, the Queen used to breathe the fresh air after her confinement in his chamber; and to divert the melancholy of her kind attendance upon him, by joining with Lady Reres in a song*.

In

* Goodall, ii. 241, "Thomas Nelson," who lay in what is hereafter called the little gallery, "scaped by reason of a
 " gret ston wall betwixt the King's chamber and that place
 " wherin he did lye;" 245, "the *litill* gallery, that went di-
 " rect to *south* out of the Kingis chalmer, havand ane win-

In this view of the house, it appears to have been a small one, and a small quantity of powder would be sufficient to blow it up. But why did the murderers defer the execution of their project, for so many days after the King's return? In all probability, the Queen's coming to lodge in the house was the reason. Mary indeed fancied, immediately after the blow was struck, that it was intended equally for her as for him. "Quha ever have taken

"dow in the *gavel* throw the town-wall;" and 244, "that door, quhilk passed through the fellar and the town-wall." Thomas Nelson speaks only of himself, William Taylor, Edward Symonis, and William Taylor's boy, as in the house with the King (ii. 245). Buchanan also speaks of "na man left within, bot ane zoung man not zit recoverit of seiknes, and ane auld man febil be age, and twa strangeris unacquaintit with the places, mater, and perfones" (71, Anderson, ii. and 261, Jebb, i.). But even Bellenden's account of the trial of the murderers, speaks of William Taylor, and "Andro Macaig," as murdered with the King (Anderson, ii. 191). The record also of Douglas's trial specifies William Taylor, who lay in the King's own chamber (Goodall, ii. 245), *Andrew Makcaig*, and *William Glen*; as all in the house, and as all grooms of the chamber, "cubiculares," to the King (Arnot's Criminal Trials, 9 and 18). And the key to the garden was kept by Beton, one of the Queen's attendants (Goodall, ii. 244), who is mentioned as one of the murderers by the rebels (Arnot, 384). Buchanan, therefore, represents *Paris* to have kept the key "of the back-gate" (Anderson, ii. 21, and Jebb, i. 245); it being "the key of the passage that past toward the gairding" (Goodall, ii. 244). And as from L. ii. § 4. Beton seems to have gone from the Queen at Glasgow, to attend a court of Sir James Balfour's; and as he and Sir James were equally in the plot; he went probably with intelligence to the conspirators, concerning the Queen's return.

"this

“this wicked interprys in hand,” she says in her letter of the very next day, “we assure ourself it
 “wes dresfit alsweill for us, as for the King*.” This was very natural for her to suppose, at the time. But we know more than she did then. We know, that in this business there was an upper and an under plot, and both concurring to carry on the main business of the piece. Murray, Morton, and Lethington, long hackneyed in the practices of rebellion, and cemented in a dreadful union together by the blood of the murdered Rizzio, were the first projectors of it. They had drawn Bothwell into the conspiracy with them, a man hitherto attached to the crown, hitherto faithful to his duty, and hitherto active and vigourous against them. But what would not yield to the *common* principles of seduction, had given way to the force of a particular temptation. He had been useful. He had been treated with distinction. He began to found ambition upon gratitude. The rescuer of the Queen aspired to become her husband. And he, who could not be perverted from the line of duty, was induced by those artful spirits whom he had opposed, to make fidelity do the work of rebellion in him. He was married indeed. So was she. But, when the mind once fastens upon a favourite object, it overlooks all obstructions to it; and if devoid of principle in itself, and especially if goaded eagerly on by the Grand Tempter and his human instruments, resolves to level all obstructions before

* Keith, Pref. viii.

it. He meant to procure a divorce, for consanguinity. And he united with these native children of rebellion, to whom he had ever been adverse before, in making a bloody divorce between the Queen and her husband. Just so, Darnly himself had confederated before with those very rebels, in the murder of Rizzio. They were ready to confederate with men or devils, for the prosecution of their villainous purposes. They had confederated with *him*, against Bothwell and others. They were now confederating with Bothwell, against him. And they speedily confederated with others, against Bothwell. But, in *this* state of the present plot, the under part prevented the upper from taking such an ample sweep of flagitiousness, as the souls of its framers would naturally have aimed to take; and from involving the Queen, in the same ruin with her husband. Bothwell's adherents had the key of the postern, in the hands of Balfour the owner. Bothwell himself was to act with his adherents, in setting fire to the mine. And as he would undoubtedly take care not to blast his own views, by destroying Mary together with Darnly; so the Queen's sleeping in the house the greatest part of the week before, would undoubtedly occasion him to defer it.

Why the execution had not taken place, *before* she came to sleep there; does not appear. In all probability, the natural irresolution of the most audacious spirits at the execution of such a deed of horror; and the peculiar irresolution of him, who was to be the great agent in it, and who, though very profligate, was not so thoroughly abandoned
as

as his brothers in villainy; prevented it at first. Then the Queen's lodging in the house, suspended it afterwards. And, when it was executed at last, it was executed only because she was accidentally absent for a night*.

S E C-

* In Paris's second confession, and in a part which is in Goodall, ii. 79, 80, and 81, Paris says: "que le *jour* que
" Monf. de Boduel lui avoit communiqué le fait de meurtre de
" Roy," as in the first confession is mentioned, and, as is there
stated to have been, "upon *Wednesday or Thursday* before the
" Sunday of the King's murder" (Goodall, i. 137); qui fust
" *le mesme jour* que la Royne couchast au logis du Roy a Kirk-a-
" *field* (ainfi comme il en souvient fort bien," &c. This night
of the Queen's lodging at Kirk-a-field, then, is here stated to
have been "Wednesday or Thursday" before the murder.
This Paris *remembered very well*. But it was only the *first* night.
The *second* was Friday: "Vendredy, la nuit la Royne coucha
" *encores* au logis du Roy." The *first* night she employed thus:
"Estant couché, ne dormoyt point toute la nuit." How can
Paris possibly know that? Let the sequel tell: "Ains escrivoit
" de lettres a Monf. de Boduel, et les envoye par le dict Paris
" au Sieur de Boduel." Paris knew that she was writing let-
ters in bed, it seems, because she—rang her bell, no doubt;
and called him into her bed-room in the dead of the night,
even while she was in bed herself, without one female attendant
near her; and gave him the letter which she had been writing.
Such are Queens, in the opinion of this confession-writer! But
at what hour of the night was this? About eleven or twelve,
"environ l'onze ou douze heures de nuit." Yet he affirms
before, that she did not sleep "toute la nuit, ains escrivoit de
" lettres." With such a wretched memory was this falsifier
cursed! And so fully does one part of a falshood in him, refute
and repel the other!

Paris went, however, with the letter to Bothwell, then at
Holyrood-house. "Ayant delivré ceste lettre au dict Sieur de
" Boduel, il rescrit, estant au liêt; et, en baillant la responce
" au

SECTION VI.

MARY had now visited the King daily. She had staid many hours with him, at every visit. She had

“ au dict Paris, il lui dict, Dites a la Royne, que *je ne dormiray point que je ne ascheve mon entreprise.*” This is a most gallant resolution. It was now, we must remember, “ Wednesday or “ Thursday” night. The murder was not executed till about two on Monday morning. And yet Bothwell, in the ardour of his zeal for Mary, vows never to sleep again till all is over, and to continue waking all the rest of Wednesday or Thursday night, all Friday night, all Saturday night, and all Sunday night, till two in the morning of Monday. Such is the wild absurdity of this confession! And such are its heroes and heroines!

Paris returned to the Queen with this verbal message, and a written answer from Bothwell. It was morning before he reached her. But lo! at this instant we find him no longer uncertain, whether the day before was “ Wednesday or Thursday.” He is now certain, without noticing his own uncertainty. It was actually Thursday. For *this*, he says, is Friday morning. “ *Estant de retours vers la Royne Vendredy au matin.*” Such another proof have we here, of the wretched memory of this falsifier! And so plainly do we again find one of his falsehoods, refuting and repelling another!

The Queen again received him into her bed-room, while she was in bed. He there presented her with Bothwell’s written answer. He there rehearsed to her Bothwell’s verbal message. The Queen made a laughing reply to the latter. “ *Et ce disoyt-elle, estant au lit,*” Well might Mary be esteemed an adulteress, when she admitted such fellows to visit her *in bed* at such hours!

There is also another tale concerning Paris and his Queen, in another part of the confession; which runs parallel with the present in vulgar impertinence, and is a very notable addition to it. In Goodall, ii. 82, Paris is equally made to say; that

had even spent most of the evenings in the second week with him, and slept in the room below him*.

On the morning after the murder, betwixt nine and ten, “entre
 “neuf et dix heures,” he entered the Queen’s bed-room, *even
 while she was again in bed*, and with all the easy familiarity
 with which he would have gone into his own. Yet she had not
then rung her bell for him. He went in, however. Called or
 un-called, he could never enter improperly. She had no pri-
 vacies, as a woman; no dignity, as a lady; and no majesty, as
 a queen. He therefore presumed to open her bed-room door.
 He found the bed covered with black, the window-curtains
 drawn close, and candles lighted upon the toilet. These were
 all tokens of royal mourning. Yet she must have been very
 recollected, and very speedy, to have had them provided so
 soon. *This* was the designed insinuation of the forgery here.
 But Buchanan had previously asserted the fact to be quite con-
 trary, with the aim of flandering her for *not* mourning soon
 enough. On the morning of the murder, *he* says, and after she
 had sent out to enquire about it; “scho hirself settillit hir to
 “rest, with ane countenance sa quyet, and mynde sa untrou-
 “billit, that scho *sweetly sleipit till the nixt day at none* ;” and
 it was not till she had “causit him to be buryit,” that “be
 “lytill and lytill scho *began* to set hir face, and with counter-
 “futing of *murning* scho laubourit to appeis the hartis of the
 “grudgeing pepill” (Anderson, ii. 23—24, and 27, and
 Jebb, i. 245 and 246). Yet *here* she is all awake, and *here*
 she is keeping her mourning, betwixt nine and ten of the very
 morning of the murder. And the one falshood destroys the
 other effectually. Paris however ventured in. He advanced
 into all this scene of mourning. He had a particular reason, it
 seems, for doing so. *He came to breakfast there*. He accord-
 ingly *had his breakfast served to him there*. It was a single egg,
 spare and mourning diet! “Madame de Briant luy donnoit a
 “dejeuner une ouf là.” And, *while he was at breakfast there*,

* Anderson, ii. 71, Jebb, i. 262, and Keith, Pref. viii.

On Sunday, the 9th of February, she visited him in the evening, attended by Lady Reres, and accompanied by the Earls of Argyle, Huntly, Cassils, and Bothwell *. She also declared her determination, to sleep there for the night †. But, about eleven o'clock, she suddenly altered her resolution. She recollected the marriage, which had been that day celebrated between Francis Sebastian, one of the gentlemen in her train, and one of the ladies

Bothwell, as if by compact with him and with the Devil, came in, went up to the bed, and whispered with the Queen behind the curtains. “Monsieur de Boduel arriva, et parla a elle secretement soubz la courtine.” The Queen’s bed-room, even while she was in bed herself, was thus made the BUTTERY-HATCH to the palace, under the most elegant and polished princess in Europe!

But Mary suffered even more than all this, it seems, at Paris’s *former* visit! Yet what could be more, unless Paris got into bed to her? She even did, what in the estimation of a *woman*, would be more than suffering Paris to get into bed to her. SHE ACTUALLY ROSE, AND DRESSED HERSELF, BEFORE HIM. “Ce disoyt-elle, estant *au liect*: et, COMME ELLE S’ABILLOIT, “le dict Paris prend le deux clefs de la chambre de la Royne,” &c.

Such is the astonishing *monstrosity* of a confession, that has been accepted by the world for authentick evidence! “One of “our late criminal judges,” says Mr. Goodall, i. 136, “of “high character for knowledge and integrity, was by reading “it induced to believe every scandal, that had been thrown “out against the Queen.” And yet it plainly carries, on examination, the marks of its own knavery in every lineament and feature of its face. The history of human opinions, is the severest of all possible satires, upon the mental powers of man.

* Anderson, ii. 22, 27; Jebb, i. 244, 262; Appendix, N° x. and Keith, Pref. viii. † Goodall, ii. 245, and Keith, *ibid.*

of her bed-chamber probably. And she had promised to honour the banquet with her presence, and to give her household a masque and a dance at night *.

Masquerades, it seems, had been introduced into Scotland, a few years before; and not by the gay and popish Queen, but by that arch-protestant, the “rude, homely, and blunt” Murray, on his marriage to the Earl Marshal’s daughter. Yet a masque and a dance upon a *Sunday* night, would shock the spirit of piety at present. Buchanan himself, however, does not take the least exception to the Queen’s conduct, upon that account. There was, indeed, the very same sort of gaiety exhibited at the Queen’s wedding to Darnly. “Upon *Sunday* in the morning, *between five and six*,” says Randolph in a letter at the time, “she was conveyed by divers of her nobles to the chapell; she had upon her back the great mourning-gown of black, with the great wide mourning-hood, not unlike unto that which she wore the doulfull day of the burial of her husband.” These were *her widow’s weeds*. She was married, and received the sacrament. She went to her chamber afterwards. There “being required, according to the solemnity, to cast off her cares, and leave aside those *sorrowfull garments*;—she—changed her garments.—After the marriage, followeth commonly great cheer and *dancing*; to their dinner they were conveyed

* Goodall, ii. 245; and Keith, Pref. viii.; Appendix, N° x.; Anderson, ii. 77—78; and Jebb, i. 263—264.

“ by the whole nobility—; after dinner they *danced*
 “ awhile—; and as they dined so do they sup, some
 “ *dancing* there was *.”

The fact is, that the Sunday was not then considered, either in England or in Scotland, with the sanctimonious reverence, which we find of so much consequence to religion at present. This the conduct of Mary, the manner of Randolph, and the silence of Buchanan, all concur to show. We owe the useful change in our opinions, to the influence of presbyterianism. And it was the gloomy severity of British Calvinism, which, correcting the gaiety before, and being corrected by it, has just served

* Keith, 196 and 197, and Robertson, ii. 348—349. See also Keith, 206, where, “ the *Sunday* before,—the Lord Robert, the Lord John, and others, ran at the ring, six against six, disguised and apparelled, the one half like women, the other like strangers, in strange masking garments.” Randolph, Dec. 7th, 1561. This was *before* the marriage of Murray, which did not take place till the month of February following (Knox, 302). It was not considered as a masquerade, however. It was only a tilting by gentlemen in fancy-dresses. And therefore Knox speaks thus concerning Murray’s marriage: “ the gritnes of the bankett, and the vanity usit thair-
 “ at, offendit many godly; thare *began* the *masking*, quhilk
 “ *from yeir to yeir bes continewed since*” (Knox, 302).—That *black* was then used for mourning equally as it is now, notwithstanding what is said by Dr. Stuart, i. 109—110; is plain from the very passage in the text above, and again from this in a letter of Throgmorton’s. Speaking of the intended burial of King Henry at Paris, he says on August the 4th, 1559: “ I
 “ have as yet received no *blackes for mourning*—; notwithstanding, I have bought me a *mourning cote and cloke*” (Forbes, i. 192). And accordingly Knox says expressly, that the Queen was married “ all clothed in *mourning*” (p. 380).

to

to throw a happy shade of solemnity, over this weekly day of combined devotions. Yet Mary, in compliment probably to that rising prejudice among her subjects, did not directly break in upon the Sunday, with her masquerade. She evaded the violation of the one, by deferring the commencement of the other. The masquerade was not to begin, till the Sunday was past. It did not begin, before the clock had struck twelve. This the extreme lateness of the hour, when she recollected her promise, and went away to perform it, very forcibly suggests to us. And Buchanan is positive in his declaration concerning it, as he says; "*proximum mane ludis et lætitiæ destinârat **."

Mary had thus promised a masque and a dance to her household, after twelve that night, on account of Sebastian's wedding; and now recollected that she had. This promise shows very strongly, the condescending friendliness of the Queen to all her household. She immediately mentioned her recollected engagement, to the King. She excused herself from staying with him. She kissed him. Her heart seems to have been particularly full, at the moment; sympathizing, as it were, with the good intelligences about her, and receiving some secret impressions of tenderness from them. And she took a ring off her finger, and gave it to him at parting †. What soul is there, even of the sternest disciples of faction, that does not sigh over a Queen, now devoted to destruction? She has the

* Hist. xviii. 351.

† Anderson, ii. 72, and Jebb, i. 262.

murderer of her husband, and the ravisher of herself, attending upon her. Her own future fate is a thousand times more wretched, than her husband's. The whirlwind of death, that is to rise immediately, will waft *him* at once to a peaceful grave, where no Murraies can project, no Mortons prepare, and no Bothwells execute, any further trains of mischief against him. But it involves *her* in a long maze of miseries. It gives the villains, who had eternally been plotting against her, a full capacity to ruin her. It gives Elizabeth the opportunity, for which her dastardly soul had been long upon the watch, of triumphing over her fallen greatness, and of insulting an integrity which upbraided her own conduct. And, what much more sensibly affected the feelings of an elevated mind like Mary's, it gave them both an occasion, which they eagerly embraced; of hurting her fame, of wounding her honour, and of sending her to the grave, after an imprisonment of eighteen years, with a load of obloquy on her head*.

Nor must this be considered as any change of general resolution in the Queen, and as therefore occasioning the immediate execution of the plot. She had previously intended this, then forgot her intention, and now recollected it. The marriage of Sebastian had for some time, no doubt, been intended to be celebrated on this day. And the

* "There is one injurie more," says the Bishop of Ross, "that doth greeve and molest this good guiltlesse Ladie more than all these,—that is, their shameful and most traiterous diffaming her," &c. Anderson, i. 40.

Queen had equally, no doubt, for some time promised to treat her attendants upon it, with a masqued ball at night. Such a promise, and such a wedding, would occasion too much talk, and would require too much preparation, not to be well known. Accordingly the designed wedding is declared by the very rebels themselves, and in their very forgeries of the letters, to have been known to the Queen, known to her attendants, and even communicated to the King at Glasgow, more than a *fortnight before the day*. “I am abaschit,” she is made to say in her *first* intercourse with the King on the 24th of January, “quha has schawin him
 “sa far; zea, he spak evin of *ye marriage of Bas-*
 “*tiane* *.” And the marriage being well known to be designed for Sunday, and the masqued ball being equally known to be designed for the night of that day, the conspirators very naturally pitched upon this night, for the grand execution of their plot. Bothwell, as particularly solicitous not to destroy the Queen with her husband, must have been seeking the opportunity of her absence from him, during the days that she had begun to sleep in the house. This intended ball would present the opportunity. It must be carefully secured. It would not occur again. The King, who was now able to sit up so late, could not have been expected for some days before, to be long an inhabitant of the house. And we have the evidence of history itself, that this night had been previously pitched

* Lett. i. Sect. 6.

upon by the conspirators, for the execution of their horrible villainy.

“Is it unknoven, think ye, the Erle of Murray,” says the Bishop of Ross in a remarkable anecdote, concerning the *well-timed* departure of Murray from Edinburgh on the forenoon of Sunday the 9th *, “what the Lord Harris said to *your face* openly, even *at your owne table*, a few daies *after* the murther was committed? Did he not *charge* you with the FOREKNOWLEDGE of the same murther? Did not he, nullâ circuitione *usus*, *flatly and plainely burden* you; that you, riding in Fisse, and coming with one of your moste assured trusty servants, *the said day wherein you departed from Edenborough*, said to him among other talke, THIS NIGHT, ERE MORNING, THE LORDE DARLEY SHALL LOSE HIS LIFE †?” No doubt can be made, concerning the truth of this assertion. It was immediately addressed by Lord Herris himself, to the Earl of Murray himself. It was addressed openly to him, at his own table, and within a few days after the murder. He then and there charged him, with a FOREKNOWLEDGE of the murder. He also confirmed his charge by an appeal to a speech, which Murray himself had made to a confidential servant, the day before the murder; and which the servant had repeated since. And the whole is recorded by the Bishop of Ross, in a direct address to the Earl of Murray, that was published at the time, and never answered.

* Detection, 20, Anderson, i. and 289, Jebb, i. † P. 75, Anderson, i.

Lord Herris himself also united with Lord Boyd, to furnish the *incidents* mentioned in the Bishop's work *. He therefore furnished the present. And the Bishop *received it immediately from him*. But there is an union of several facts in one, which has never been sufficiently attended to ; and which gives us at once a fuller display of the guilt of Murray, and a fuller proof of the truth of the anecdote above.

In the very same spirit, with which Lord Herris taxed Murray at his own table with a FOREKNOWLEDGE of the murder, he afterwards taxed him in a letter of challenge to Lord Lindefay. This Lord had been informed, that Herris had asserted in conversation, " My LORD REGENTIS GRACE, and " his cumpanie here present," Murray and his brother-commissioners in London, " were giltie of " the abhominabill murthour." Herris stated his speech to be this: " Thair is of that cumpanie " present with the Earle of Murray, giltie of that " abhominabill tressoun, in the FOIRKNAWLEDGE " and consent thairto." He evidently alluded then, to his verbal challenge of Murray before. He *now* declares he meant not Lindefay. He meant, he intimates, Murray alone. " Let *aucht*," he says, " of the PRINCIPALLIS that is of thame, sub- " scryve the like writing ze have send to me," that is, challenge him as Lindefay had done ; " and I " SHALL POINT THAME FURTH, and fight with " SUM of the tratouris thairin ; for metest it is, " that *tratouris* sould pay for *thair awin* tressoun †."

* Appendix, N^o xii.

† Goodall, ii. 271—272.

In all this he hints at *Murray* only. *Murray himself saw he did.* He remembered the challenge at his own table. He *therefore* saw the tendency of this. He applied to Lord Leicester with “in-
 “oportune [importune] suit,” to bring him and Herris together; Leicester sent a verbal message for that purpose, to Herris. But this high-souled peer refused to go, unless it was to aver, prove, and fight. “For the Erle of Murray,” he replied upon paper, “swa lang as he mis-knawis his
 “dewtie to his native Soverane, I will nether for
 “his inoportunes [importunities] nor plesour tra-
 “vell. Bot,” and he then discloses to us a fact, that has never been noticed, and yet is of very great consequence in itself, “—gif it be to AN-
 “SWER to *sic* writings, as first I red befoir your
 “honouris at Westminster, the Quenis Majestie’s
 “commissionaris, and efter presentit unto hir Hienes;”
 a WRITTEN ACCUSATION OF MURRAY FOR THE MURDER, which *the commissioners have not noticed* at all, and which the *commissioners* and their *Queen* have even united to *suppress for ever*; “I ADVOW
 “THAME, and, with the grace of Almighty God,
 “SHALL LEIF NA PART UNPROWIN, that trewth
 “and honour requiris; QUHAIROF I HAIF SENT
 “ZOUR LORDSHIP HEIRWITH ANE COPIE,” which Lord Leicester, like the Queen and her commissioners, took effectual care to suppress; “as
 “alswa ane letter I ressavit this day of the Lord
 “Lyndsay, with my answer to it;” both which, with the letter to himself, Leicester took care to preserve. “Gif NEED SALL REQUIRE MY AWIN
 “PRESENCE

“ PRESENCE TO ADVOW THE SAMIN, it will pleis
 “ zour Lordship to *adverteis this my servand*; and
 “ I SALL NOCHT FAILL TO BE THAIR, at the hour
 “ appointit be zour Lordship, gif God fall spair
 “ my lyif*.”

The share of Murray in the murder, by his knowledge of the intention, and his prediction of the act, a few hours before; here strikes upon our understandings very forcibly, from Herris's crimination of him to his face, and from Herris's accusation of him again, in a writing, read in form to the commissioners of Elizabeth, presented in form to Elizabeth herself, and sent afterwards to the Earl of Leicester. The written accusation of him, no doubt, was substantially the same as the verbal one, and what the Bishop of Ross published afterwards. But how did Murray behave, under this powerful crimination? He behaved pretty nearly, as Elizabeth, Leicester, and the commissioners behaved. *They* took no notice of the charge, *because they knew Murray to be guilty of it.* He took notice of it,—to crouch and cower under it. He was charged with a foreknowledge of the murder, in a formal paper read to the commissioners and presented to the Queen, about the 20th of December; as the letter noticing it is dated the 22d. He was indirectly challenged as a murderer, in Herris's reply to Lindesay of the 22d; and pointedly challenged again, in Herris's subsequent letter to Leicester of the same day. Yet

* Goodall, ii. 273.

he dared not to accept the repeated challenge. He wanted not courage. But he knew his own guilt. He knew also, that Herris knew it. He therefore declined the trial. He first endeavoured to accommodate the difference with Herris, and for that purpose solicited *importunately* a personal interview with him, through the mediation of Lord Leicester. But this only served to provoke a more direct challenge from Herris. And then Murray shrunk up under the consciousness of his criminality, into a sneaking and snivelling wretch. He repaired to the Queen and council. It had been "murmurit and bruitit," he said, "that HE and his companie" "sould be guiltie of the murthour." This report he understood, he said, "to have procedit fra the" "Quene's of Scotland's commissionaris." He thus shows his knowledge of the accusation, by his endeavour to evade it. He thus substitutes a *vague, general, and reported* accusation of himself *and his associates*, from Mary's commissioners *at large*; in the room of a *written* one from Lord Herris, that was specifically against *him* only, that had been read by Lord Herris himself to the commissioners of Elizabeth, had been presented to Elizabeth by Lord Herris himself, and had been sent by Lord Herris himself to the Earl of Leicester. And he *bemoaned* his fate, to this very Queen and those very counsellors. "The Erle of Murray," says the register of these proceedings, "had MEANIT" "HIM to the Quenis Majestie and counfall *."

* Goodall, ii. 280.

All this confirms the anecdote decisively, concerning Murray's unguarded prediction of Darnly's death. But the whole is highly illustrated by a collateral fact; a posteriour challenge of the same nature, which this very Lord Herris sent to one, who was afterwards proved *judicially* to be guilty of the murder. He then, by a formal trumpeter, "offered to fight—with the Earl of "Mortoun, upon that head;" that he was "upon "the council, and consequently airt and pairt, of "the King's murther." And Morton did as Murray had done before, shrink under the accusation, and decline the challenge *.

The night of the ninth of February, therefore, had been previously pitched upon by Murray, Morton, Bothwell, and the others, for the night of the murder; from Bothwell's care not to destroy his own schemes of ambition, by involving Mary in the fate of her husband; and from the well-known intention of Mary, to give a ball that night at Holyrood-house, and so to be absent from Kirk-a-field. She forgot her intention at first. She recollected it afterwards. Had she not, she would have been reminded of it, by the grand conspirator now with her. She left Kirk-a-field with him and the others, about eleven at night. About twelve, the King retired to bed. The man, who slept in his chamber, would retire afterwards. Then the boy and the two men, who slept in the adjoining gallery, would retire also. The extinc-

* Melvill, 100, and Crawford, 137.

tion of *their* light, as seen through the window in the gable-end, was naturally the signal to the conspirators, waiting in the fields to see it. And by the time they would be fallen into a sound sleep, a little after two in the morning *, the villains entered the house by the postern-door, set fire to a train, and effected all that their hearts desired.

But how does Bothwell appear to have been concerned, in this last and finishing stroke of the conspiracy? He appears very plainly. We need not indeed adduce any of the rebel evidences, against him. They may be thought not competent to convict him. Yet his guilt is very manifest without them. The warmest friends of Mary considered it so, at the time. Murray, that very SATAN of Scotland in his day, had now so

Grappled him to his heart with hooks of steel;

“that about twoo moneths after,” says the Bishop of Ross, “he toke his journey into France, leaving
“the EARL BOTHWEL as HIS MOST ENTIER AND
“TRUSTY FRINDE, recommending AL HIS CAUSES
“AND AFFAIRES TO HIM BEFORE AL OTHER †.”
So Camden says exprefsly, that Murray at this departure for France, “to take away all distrust,
“COMMENDED HIS WHOLE ESTATE IN SCOTLAND
“TO THE QUEEN AND BOTHWELL’S TRUST ‡.”
“Is it not ful wel knowen, thinke ye,” the Bishop says to Murray himself, in a formal and un-answered

* Goodall, ii. 245, and Keith, Pref. viii. † Anderson, i. 67. ‡ Camden, 94 of the translation, and i. 117 of the original. Blackwood also says the same, Jebb, ii. 216.

challenge from the press, "that ye and the Earles
 " BOTHWEL, MORTON, and OTHERS, assembled at
 " the castle of CRAGMILER, and OTHER PLACES,
 " at DIVERS TIMES, TO CONSULT AND DEVISE
 " UPON THIS MISCHIEF?"—"We can tel you,"
 he adds, "that there were INTERCHANGEABLE
 " INDENTURES made and subscribed by you,"
 BOTHWELL and the rest; "that he which had
 " the best opportunitie offered to make him away,
 " SHOULD FURTHWITH TAKE IT IN HAND, AND
 " DISPATCH HIM."—"We can tel you, and so
 " can FIVE THOUSAND AND MOE of THEIR OWNE
 " HEARING, that John Hepborne, the Earle BOTH-
 " WELL's servant, being executed for his and your
 " traiterous fact, DID OPENLY SAY AND TESTIFIE,
 " as HE SHOULD ANSWERE TO THE CONTRARIE
 " BEFORE GOD; that you were PRINCIPAL AU-
 " THORS, COUNSAILERS, AND ASSISTERS with HIS
 " MASTER, of THIS EXECRABLE MURTHUR; and
 " that HIS SAID MASTER so tolde him; and far-
 " thermore, that HE HIMSELF HAD SENE THE IN-
 " DENTURES WE SPAKE OF." And as Mary's
 commissioners say, in a formal paper of December
 1st 1568 to the commissioners of Elizabeth, "thay
 " themselfis, that now pretend herewith," by charg-
 ing the Queen, "to excuse their own treasouns;
 " were THE FIRST INVENTARIS, WRITERS WITH
 " THEIR OWN HANDIS, of that devilish BAND, the
 " conspiracy of the slaughter of that innocent young
 " gentleman Henry Stewart, lait spouse till [to]
 " our Sovereigne; AND PRESENTIT [it] to their
 " WICKIT CONFEDERATE, JAMES EARL BOTH-
 " WELL;

“WELL; AS WAS MAID MANIFEST BEFOIR TEN
 “THOUSAND PEPILL, at the execution of certain
 “of the principall offendaris at Edinburgh *.” The
 guilt of Bothwell here bursts on our view, with
 all the brightness of a large meteor flashing full
 upon it.

This profligate man appears to have engaged
 some of his own immediate servants with him, in
 the horrid deed. Powry, his porter, and Dalgleshe,
 his chamberlain † (for the nobles of Scotland then
 kept chamberlains, as well as porters), were both
 concerned with him. John Hepborne, John Hay,
 and two Ormiston of Tiviot-dale ‡, were equally
 concerned. And so was also Paris, according to
 the rebel evidences. Paris had long been in Both-
 well's service. But he had recently been recom-
 mended by him, to be one of the two “esquires
 “of the Queen's chamber door,” as they were
 then called, or “gentlemen ushers of the privy
 “chamber,” as we should now call them. Both-
 well had recommended him, in order to promote
 him. He is thus thought, to have attached him
 the stronger to him. And the fellow is believed,
 to have showed at once his gratitude and his pro-
 fligacy, by uniting with Boncle, who betrayed
 his master, and by acting with Bothwell, who mur-
 dered him. But all this is founded merely, on the
 suspectable testimony of the rebels. And it is di-
 rectly contradicted, by a testimony of a much su-
 perior nature. Paris, *in his last moments*, denied all

* Anderson, i. 76, and Goodall, ii. 213.
 N^o x.

‡ Goodall, i. Pref. xvii.

† Appendix,

share in the murder. He was hanged at St. Andrews, says a cotemporary and very respectable authority, "for the murder of the late King, THOUGH HE DENIED THE FACT*." There was however, besides those above, Archibald Douglas, a clergyman, a relation and a retainer to Morton; and his servants, John Binning, and Thomas Gairner. In 1581, on Morton being accused of the murder, Archibald, who had then been raised by Morton to the dignity of a lord of session, but was well known to have been one of the murderers, was ordered to be seized; retired hastily out of Scotland; and so escaped the punishment, that was now descending upon the first projectors of the murder. Yet his servant Binning was seized. He confessed the truth. He owned, that he was actually present with his master, at the blowing up of the house; that his master went to the perpetration of the crime, just as Bellenden's false confessions, *for that reason*, represent some of the conspirators to have come to it, "with *mulis* [or slippers] upon yair feet;" that in the hurry and the darkness his master lost his slippers, which appear to have been of *velvet*; and that they were found the next morning, and known to be his†. And "we can tel you," adds the Bishop of Ross, "that John Haye of Galoway, that Powry, that Dawglish, and last of al, that Paris, al being put to death for this crime, TOKE GOD TO RECORDE, at the time of their

* Crawford, 127. † Goodall, i. 329—330, Arnot's Criminal Trials, 10, 15, and 16, Moyse, 55, and Crawford, 365—366.

" death;

“ death ; that THIS MURTHUR was by YOUR,”
 Murray’s and Morton’s, “ COUNSAYLE, INVEN-
 “ TION, AND DRIFT COMMITTED ; who also de-
 “ clared, THAT THEY NEVER KNEW THE QUEENE
 “ TO BE PARTICIPANT, OR WARE, THEREOF *.”

Yet how could these adherents of Bothwell’s know any thing, of Murray’s or Morton’s concern in the business ? Murray was certainly not present at the conclusion of it. Morton was equally not. But both were present undoubtedly, at the sinking and charging of the mine. And these men were, in all probability, some of their labourers in this preparatory part of the work, as well as some of the assistants to Bothwell and Douglas, in the final completion of it. †

The confessions of these men are so strong a proof of the innocence of Mary, and of the guilt of Murray, Morton, and Bothwell ; that the Bishop of Ross very judiciously urges it, again and again. “ The testimony” (he says) “ and confession of
 “ divers guyltie, as they be *reported*,” the Bishop (I suppose) here alluding to Paris particularly,
 “ and executed in Scotland for the said offence ;
 “ which THEY OPENLY MADE AT THE TIME OF

* P. 76—77. And see Crawford, 41.

† Morton was *indited* for being present, at the *last* act of this bloody tragedy. But he was *found by the jury*, to be guilty only “ of airt, pairt, *foirknowledge*, and *conceiling*.” See Arnot, 390 and 391. And accordingly Lord Herris, who charged Murray himself with only a *foreknowledge* of the murder, charged Morton only with being “ *upon the council*, and “ consequently airt and pairt, of the King’s murder” (Melvill, 100).

“ THEIR DEATH ; doth TENDE MUCH TO THE AD-
 “ VANCING, AND APPROBATION, OF HER INNO-
 “ CENCIE *.” As to “ a boxe of letters,” he says
 in another place, “ taken from one Doughleysh,
 “ who was executed for the Lorde Darleye’s death,
 “ the Earle’s man, forsooth ;—a man more then
 “ halfe blinde may perfectly see and perceave YOUR
 “ foule play, forasmuch as THE VERY SELFE SAID
 “ DOUGHLEISH, whom, among other, ye executed
 “ and *ridde out of the way*, HATH SAID, AND SUFF-
 “ FICIENTLY DECLARED, FOR THE QUENE’S INNO-
 “ CENCIE †.” But “ as for him that YE surmise was
 “ the bearer of them,” he adds concerning PARIS
 and the letters, “ and whome you have executed
 “ *of late* for the said murther, HE, at the time of
 “ his said execution, TOOKE IT UPON HIS DEATHE,
 “ AS HE SHOULD ANSWERE BEFORE GOD ; that HE
 “ NEVER CARRIED ANY SUCH LETTERS, nor that
 “ THE QUEEN WAS PARTICIPANT NOR OF COUN-
 “ SAYLE in the cause ‡.” And, as he comprehen-
 sively subjoins afterwards, “ Wel, we can farther
 “ tel you of the greate goodnes of God, and of the
 “ mightie force of the trueth : whereby, though YE
 “ have WONDERFULLY TURMOILED AND TOSSED,
 “ though YE have RACKED and PUT TO DEATH as-
 “ wel INNOCENTS ;” meaning William Blackader,
 James Edmonstone, John Blackader, Mynart
 Frazer, and Paris, of whom the first and the last
 certainly, and most probably all, denied any share
 in the murder § ; “ as GUILTYE, YOUR OWN confe-

* P. 9. † P. 16, and 22—23. ‡ P. 19. § Keith,
 406—407, Goodall, i. 393—394, and Crawford, 41, and 127.
 “ derats,”

“ derats,” Hepborn, Hay, Powry, and Dalgleshe ;
 “ AND OFFRED MANY OF THEM THEIR PARDONS, so
 “ THEY WOULD DEPOSE ANY THING AGAINST THE
 “ QUEENE : God hath so wrought, that, as FOR NO
 “ TORMENTS, NOR FAYER PROMISES, they COULD
 “ BE BROUGHT FALSLY TO DEFAME THEIR MAS-
 “ TRESSE ; so, without any torments at al, THEY
 “ HAVE VOLUNTARILY PURGED HER, and so layed
 “ the burden upon YOUR necks and shoulders, that
 “ YE SHAL NEVER BE ABLE TO SHAKE IT OF *.”

Nor does this grand fact rest entirely upon the Bishop's testimony. That indeed would be sufficient of itself. But it is corroborated, and in the whole too, by the concurrent attestation of a number of nobles, who equally lived at the very time, and all of whom have put their signatures in form to their evidence. “ It may be inferrit,” say the Archbishop of St. Andrews, the Earl of Eglington, the Lords Fleming, Glenluce, Sanquhar, and Rosse, the Earls of Argyle and Cassils, the Lords Maxwell, Oliphant, and Drummond, the Earls of Huntly, Crawford, and Errol, the Lords Ogilvy, Somerville, and Yester, in their instructions to the Bishop of Ross himself, and to the Lords Livingston, Boyd, HERRIS, and Kilwynning ; “ that thay,” Murray and his partners in the accusation of the Queen for the murder, “ wer THE DOARIS THAROF
 “ ONLIE, as WAS DEPONIT BE THAME QUHA SUFF-
 “ FERIT DEID,” death, “ THAIRFOIR ; quha DE-
 “ CLARIT AT ALL TIMES THE QUEENE OUR SOVE-

* P. 77. And see Jebb, i. 414, and Crawford 41.

“RANE, TO BE INNOCENT THAIROF:”—and that
 “hir adverstaris, usurparis of hir auctoritie, OFFERIT
 “REMISSIOUN TO SINDRIE, THAT ARE CONVICT
 “FOR THAT CRIME BE THAME, *gif* thay wald say
 “that *hir Grace was guiltie thairof*; bot offeris
 “[but these offered] to prove THE SEDUCERIS
 “CULPABILL THAIROF, in quhatsumever manner
 “thay pleis *.”

Camden also adds the weighty sanction of his authority, to all. “Murray,” he says, “put to death John Hepborn, Paris a Frenchman, Daglish, and other servants of Bothwell’s, which were present at the murdering of the King.” Camden makes a slight mistake here concerning Paris, who was not a servant to Bothwell at the time of the murder, and not concerned in the commission of it. “But,” as Camden adds, “thay (which he full little expected) *protested at the gallows before God and his angels*; that they understood from Bothwell, that MURRAY and MORTON were THE AUTHOURS OF THE KING’S DEATH. The QUEEN they CLEARED FROM ALL SUSPICION.”

Camden however goes on in a still higher tone, thus. “BOTHWELL also himself,” he says, “being prisoner in Denmark, MANY TIMES witnessed, both LIVING and DYING, with a religious asseveration; that the QUEEN was NOT privy thereunto†.” It was confidently reported at *this* time,” as a cotemporary writer adds, “by *very good men*, and many people of reputation and honour; that during

* Goodall, ii. 359, and 361.
 Orig. 121.

† Annals, Transf. 97.

“ *his imprisonment* in Denmark, and *at his death*, he
“ *often* solemnly protested, that the QUEEN was
“ WHOLLY INNOCENT OF THE MURDER OF HER
“ HUSBAND.” And, as this author concludes with a
very significant and useful notice, “ her persecutor
“ the Earl of MORTONE, when he came to the scaf-
“ fold, was FORCED BY A REMORSE OF CONSCIENCE
“ TO DO HER THE SAME JUSTICE, and confirm the
“ words of his dying adversary *.”

These confessions, made (most of them) so openly
to the attending multitudes, reported (all of them)
so openly to us at and near the moment, authenti-
cated by such formal and dignified attestations, and
ascending upwards through such a scale of witnesses
to such a couple of leaders, carry a wonderful weight
with them. They were made by men, who were
many of them actors in the deed of murder, at-
tached to Bothwell particularly, and associates in
the villainy with Bothwell, Murray, and Morton.
They were made even by Bothwell himself. And
they were even made by Morton himself. They
were made by all, when they were awfully standing
on the very shore and beach of time, solemnly throw-
ing their eyes across the narrow ocean of death before
them, and penitentially preparing for their reception
in the regions of eternity beyond. They thus form
an energy of evidence, even superiour (I think), if
possible, to all the constructive testimonies of history
before. They certainly speak to the understanding,
in conjunction with these, in a voice of power, and

* Crawford, 54—55.

with a tone of thunder. And the innocence of Mary, and the guilt of Murray, Morton, and Bothwell, now stand upon a basis as firm as the pillars of the earth, and now appear to the eye as conspicuous as the arch of heaven *.

But who else were concerned with Bothwell, in springing the mine? He had certainly others. Those indeed were more than sufficient for the purpose. Yet, as Throgmorton informs us on the 18th of July 1567, “the Earl Bothwell’s porter,” Powrie, “and one of his other servants of his “chamber,” Dalgleshe, “being apprehended, “have confessed such fundry circumstances; as it “*appeareth evidently*, that he, the said Earl, was ONE “of the PRINCIPAL executors of the murder, IN “HIS OWN PERSON, accompanied with *sundry*

* In opposition to all this, we have not a particle of *authenticated* evidence, but a deposition of Crawford’s “concerning “certain answers made to him by—John Hepburne, and John “Haye, upon the scaffold in Edinburgh, instantly before their “execution” (Goodall, ii. 257—258). This deposition is now lost. We may *presume* it however, as produced by the rebels, to have been favourable to them. But we have seen them produce *another* deposition of *this very* Crawford’s, which on examination has proved unfavourable to them. And, so circumstanced, this cannot have the weight of a feather upon the scale. These dying declarations accordingly appear, to have laid open the whole mystery of iniquity to the loyal party of Scotland, and to have first informed some of the principals in it, concerning the real murderer. The Bishop of Ross, Lord Herris, and the Abbot of Kilwinning, say they knew not “*quha wer devy- “faris, inventaris, or executouris, of the samin [murder], “quhill it was publictlye revelit lang thairefter, be sum of the “executouris quha sufferit deid [death] thairfoir*” (Goodall, ii. 308.)

“ *others*; of which number I cannot yet certainly
 “ learn the names, but of three of them, that is to
 “ say, two of the Ormiston of Tivendale, and one
 “ Hepburn of Bolton *.” Bothwell, therefore, was
 one of the principal executors of the murder.
 Who were the rest? The two Ormiston and Hep-
 borne. But there were others also, it seems. Three
 of these we know to have been Archibald Douglas,
 John Binning, and Thomas Gairner. Others were
 very probably Mr. David Chambers, and Mr. John
 Spence, the former of whom was a servant of Both-
 well’s, and the latter one of the Queen’s two advo-
 cates; both of whom were expressly named as com-
 mitters of the murder, in the papers affixed to the
 door of the tolbooth, &c.; and the latter was
 even mentioned, as “principal deviser” of it †.
 Indeed the presence of these or of the Earl, the
 presence of his servants, or the presence of Douglas
 and his servants, were no otherwise requisite;
 than to see that the deed was thoroughly done,
 and to pledge their salvations for a share in it.
 Boncle alone might have sufficed, for laying the
 train, and setting fire to it. And the desperate re-
 solution of these wretches, their determinedness to
 give a decisive efficacy to their measures, is very
 apparent in the force of their mine, and in the
 violence of its explosion. The whole building
 was heaved from its very foundations, by the ex-

* Goodall, i. Pref. xvii, and Robertson, ii. 377. † An-
 derson, ii. 7, 97, and 156.—John Spence also became a rebel
 with them afterwards (Keith, 452, and Goodall, ii. 370).

panding power below. All the parts of it were then burst asunder, torn to atoms, or carried to a considerable distance. Not one stone remained upon another. The very ground and corner stones, were either dislodged by the blast, or reduced to rubbish by their resistance. The King, and the servant who slept in his chamber, as lying in one of the upper rooms of the house, were not torn to pieces by the powder; but carried over the wall of the town, and lodged in an adjoining garden. When the house was heaved off from its foundations, it would instantly descend in ruins upon the heads of its inhabitants. It did so upon two men in the room opposite the King's, or in the great gallery contiguous to the room; and also upon one of the men, and a boy, in the little gallery: and killed them all. Yet both the King, and his immediate attendant, astonishingly escaped this seemingly unavoidable part of the destruction. The raised house was settling back in fragments, into its former station. But the powerful and confined principle within, now gaining a vent by the separation of the parts; it burst out on every side, and swept all before it. The King and the servant were whirled away, with the materials of the house. Even so, they astonishingly escaped any personal injury from them. They were both found in a garden, at some distance on the outside of the city-wall, without the slightest contusion upon them. Had they fallen upon water, they would probably not have been killed. Even one of the servants who slept in the little gallery, by having the end

wall of the house come betwixt the King's chamber and the gallery; and by lying also himself closer to the city-wall perhaps, than the others in the gallery; and so missing the principal shock of the storm, at its eruption; was able to disengage himself from the sligher ruins, that killed the others, but only covered him; to stand upon a broken part of the wall, till the people came running to his help; and to escape unwounded from the whole. And both these incidents are the more extraordinary, as some stones of the building, even ten feet in length and four in breadth, were thrown by the violence of the explosion, into gardens at a great distance*.

S E C-

* Keith, Pref. viii, Goodall, ii. 241, and 245, Melvill, 78, Anderfon, i, 36, Crawford, 13—14, Hume, v. 109, and an engraving of Vertue's from two paintings at the time, each the counterpart of the other (see i. 4. 2). This duplicate painting takes up the rebel tale of the day, that the King was strangled instead of blown up. See Crawford, 13, Melvill, 78, Knox, 404, &c. And it then adds, "*post cædem in horto reperiuntur prostrati.*"—But let us ascertain the exact scene of all this villainy.

The house at Kirk-a-field is described in a record of the time, as "*sumtyme callit the loging of the provest of Kirk-field besyde the samen*;" as belonging lately to the collegiate church of St. Mary, as standing near it, and as the house of its provost (Keith, 409, and 364). But it undoubtedly belonged to him, and to his clerical associates, together. He was the superiour of ten prebendaries (Arnot's Edinb. 243). The house, which could receive a king, would be too large for a provost alone; especially, in the state of celibacy, then imposed upon ecclesiasticks every where; and in the confinedness of lodging, then prevailing peculiarly among the Scotch. And, if this had been appropriated to the provost, there must have been, what

SECTION VII.

SUCH, in its principles and circumstances, was this horrible burst of human inventiveness and human

there was not (Detection, 67, Anderson, and 260, Jebb), another house adjoining for the prebendaries. It is therefore denominated expressly by Buchanan, “ane hous quhilum of auld
“preistis,” or “veterum sacerdotum ædes” (67, and 260). In this then, and in a collegiate society within it, lived before the late reformation the provost and his ten prebendaries, the united ministers of the neighbouring church of St. Mary. The church and its house were *without* the walls of the city, when they were first erected. The church therefore, like our own St. Martin’s in London, very naturally took the distinguishing appellation of KIRK-A-FIELD, or St. Mary’s in the fields. And it retained the appellation as naturally as that does, when it was afterwards inclosed within the city. The *new* direction, which was given to the wall in order to inclose it, is apparent to this day. The *Potter-row Port* was originally denominated the KIRK-OF-FIELD PORT, from its vicinity to the church (Arnot’s Edinb. 237—238). “The wall runs east,” says Mr. Arnot, “till it is intersected by the Potter-row Port; FROM
“WHICH it goes *south* for a *few* yards; then, TURNING
“ABRUPTLY, winds its course on the south side of *the college*,
“the *royal infirmary* and *high school* yards, till it comes to the
“Pleasance. Then it takes a *northern* direction” (Ibid. 236). This shews at once the general position of the church, and the particular extension of the walls to take it in. The church appears from the name of Kirk-a-field Port, to have stood upon the site of the college; and the house of its clergy, must have stood at no great distance from it.

Yet what was the peculiar ground of it? Mr. Goodall, i. 323—324, places it “hard by where the royal infirmary now
“stands.” Dr. Robertson, i. 399, with more appearance of precision, says, “it stood almost upon the same spot, where the
“house belonging to the principal of the university,” and in-

man malignity! Well might the privy counsellors of Mary “wonder, at the strangenes of the
“mater,

habited by the Doctor himself, “now stands.” It seems very extraordinary, that such a house, and so recent an one, should be settled at two such different points of ground. But let us see Buchanan’s topography for it. “Hard by,” he says, “yair
“wer the rowmis of twa kirkis: on the eist-syde, ane mo-
“nasterie of Dominike freiris: on the west, ane kirk of our
“Lady, quhilk-is callit *ye kirk in the field*: on the south-syde,
“the *towne-wall*, and in the same, for commodious passage
“every way, is *ane posterne-dure*: on the north-syde, are ane
“few beggaris cotages,” which in another place he calls “ane
“few almous-housis for pure beggaris,” and which were assuredly the *almonry* of the clerical house, the place at which the alms of broken meat from it were distributed to the poor.
“THAIR IS NEVER ANE UTHER HOUS NEIR, bot THE
“HAMMILTOUNIS HOUSE, quhilks is about ane stanis caist
“distant” (Anderson, ii. 67, and 18; Jebb, i. 260, and 243). This gives us such plain marks for settling the site, that one should naturally suppose it impossible to be missed. On the west was the church, on the east the convent, and the house between them; having the town-wall close to it on the south, and Hamilton-house at some distance from it to the north. But these marks are all vanished, it seems. The examining and thinking Mr. Arnot notices them not. The convent is fled. The church is levelled. And we seem to have no ground to stand upon.

Yet we can still trace the site. The Dominican convent was called BLACK FRIERS. The BLACK FRIERS WYND, therefore, was the street leading down to it. This was also the usual avenue of access, from the eastern parts of Edinburgh to Black Friars and to Kirk-a-field. “As yay came up the Black
“Frier Wind,” some of the murderers are made to say concerning their return, from Black Friars Yard and the back of Kirk-a-field towards Holyrood-house; “the Queen’s Grace
“was gangand before yame” from Kirk-a-field, “with licht
“torches”

“mater, sic as never was hard of, and incredibill *.” Well might the Queen cry out, in her letter of the very next day; “the mater is horrible and sa strange, “as we believe the like was never hard of in ony “country †.” A plot so diabolical, indeed, had never

“torches” (Anderson, ii. 167). This shews the convent to have stood on the ground facing to, and to the south-east of, the bottom of Black Friars Wynd, on the site of Lady Yester’s Chapel, the high school, the surgeon’s hall, and the royal infirmary. The buildings occupied only a small part of this space. The walks and gardens spread over the rest. And Kirk-a-field-house stood somewhere on the ground between the college and the surgeon’s hall; wherever it was in this interval, at the infirmary, or on one *side* of it, that the site of Black Friars ended, and the line of Kirk-a-field began; brushing up close to the town-wall at one end, facing its own church on the west, and having its garden running behind to the east. A part of Hamilton-house, I believe, is still remaining in COLLEGE-WYND. There, is a room of an ancient building, which, from the inscription over the arched door, was plainly a chapel, but is now converted into a brewery. The inscription is in Gothick characters, *Ave Maria, gratia plena, Dominus tecum* (Arnot, 244). This building is supposed to be a relick of the convent. But it cannot be. The convent was all to the east of Kirk-a-field-house. Nor had the latter any building so near it on the north, except Hamilton-house. And this is therefore a part of it.

But we may come much nearer to the site yet. One single circumstance will lead us to it. There was a passage, we must remember, through the cellar of the house and the wall of the town, into the fields. “On the south-syde,” says Buchanan before, was “the TOWNE-WALL; and in the same, for com-

* Anderson, ii. 24.

† Keith, Pref. viii.

“modious

never been heard of before, in any of the regions of Christendom. But it was soon heard of again in England. The same plot, with a more diabolical comprehensiveness of design, but happily with less success in the issue, was formed about eight-and-

“modious passage every way, is ANE POSTERNE-DURE.” Thomas Nelson also speaks of “that DOOR, quhilk passed through the SELLAR and the TOWN-WALL” (Goodall, ii. 244). Now this should be naturally our mark. The town-wall is still standing in its original state. And, upon a strict examination of it, it will present the traces of this postern-door to the eye, and so point out the very position of the house at once.

I accordingly stated these arguments in a letter to Mr. Arnot, and requested him to examine the wall in this interval for me. He did so. And he found the postern-door, as I expected. The appearance of it is very plain. It is not at the college, as Dr. Robertson fixed the house. It is near to the infirmary, as Mr. Goodall thought the house to be. The marks of the closed opening in the wall, are south of the infirmary, but about sixteen or seventeen feet to the west of the square tower, or cupola, in the center of it. The jambs and lintell of the door still remain. The upper part of the door-way, however, forms an arch, though a very flat one. The width of the whole is only about three feet. And the height is only two above the paved foot-road, which now runs along the southern foot of the wall.

Here then stood the very house, in which Darnly was murdered. Here too was the very opening, through which the murderous wretches went in to dig the mine, lay the train, and set fire to both. This was the memorable scene of that superlatively enormous villainy. Every mind, that has the general sensibilities of curiosity about it, and feels them drawn to a point by the interest which it takes in the history of Mary, naturally wishes to ascertain the ground of such an astonishing transaction. And I feel a pleasure, in having been able to gratify myself and my reader by doing it.

thirty years afterwards. The Scotch was plainly the parent, and the English the child.

Improbis ille puer, crudelis tu quoque mater.

And Britain has had the misfortune to receive from her dissenters in religion, her fanatical presbyterians upon one side, and her equally fanatical papists on the other, such a *double* stain of infamy on her character; as no other country of Christianity has ever received even *singly*, and as will remain upon her in the records of time for ever.

From that accursed deed of darkness in Scotland, were derived all the complicated miseries of Mary's future life. The original projectors of it, Murray, Morton, and Lethington, instantly endeavoured by every secret artifice, to blast the reputation of Mary for it; to exhibit her as an adulteress, and as a murderer, to the publick; and to trumpet her disgrace in the island, and on the continent. They then took advantage of their own impudence of calumniation. They raised a rebellion against her. They stripped her of her crown, and threw her into prison. They had thus disabled her compleatly, from defending her honour. They therefore began to batter upon it in form, with some hellish engines of their own forgery. And they pretended to convict her in form of a fact, of which they knew *themselves* to be guilty. So high did the impiety of sanctified knavery ascend, in Scotland! But it ascended still higher in England. There Elizabeth, equally with them an original projector of the murder probably,
broke

broke *at once* through all the ties, that *villainy generally respects in its lowest stage of profligacy*; plighted faith and confiding generosity. She did even more. She inveigled Mary by pressing assurances of friendship, into a conference with her rebels. She then turned it into a JUDICIAL TRIAL. She turned it into a trial of MARY HERSELF. She secretly pushed forward the most horrible accusations against her. She openly patronized them. She supported them in their lameness. She invigorated them in their weakness. And at length she *completed* her course of confederacy with the wretched band of murderers, and of malignity against the honourable *character* of Mary, by publishing the known forgeries as genuine writings; and so opening a new source of calumny against Mary, which has continued to burst forth with violence ever since, and had lately spread its poisoned waters from one corner of the kingdom to the other.

Yet let it be finally remembered, as some alleviation of censure, that neither Elizabeth nor Murray meant all this. They meant merely to serve a temporary purpose. They principally and ultimately wanted, to *compel* her into a *voluntary* resignation of her crown. This was the utmost projection of their guilt in *design*, though in *reality* it was carried so much farther. What carried it so far; and loaded the souls of both with an addition of criminality, which they never had in contemplation; has been the wild credulity of the times succeeding. These saw not their drift, while they beheld

beheld their practice. These imagined the joint accusers of Mary to be *serious* in their charges, when they intended only to *frighten* by the sound of them. And thus, what was merely a political device for the moment, has been turned by factious folly, into an instrument of mischief for many generations.

It is painful to a generous mind, to see such arts sustained by such credulity, and both triumphing so long over the fame of Mary. But so it will often be in a world like this. "This world was made for Cæsar." The Elizabeths and the Murrays, the children of artifice and of violence, will generally be the heroes and the heroines of the mass of mankind. And the honest, the generous, and the confiding, will be dupes to the villainy of those, and victims to the simplicity of these. But a period *may* come, SUCH AS HAS COME IN THIS VERY BUSINESS, when facts will be weighed against assertions, when characters will be ascertained by the standard of history, and when the villain will be exposed and the worthy be vindicated. Yet, should it *not* come, we may wait in holy hope for that hour of universal judgment, which the sufferings of Mary have repeatedly pressed upon my mind. Then artifice can no longer fabricate calumnies, and credulity can no longer continue them. Then the Maries, the Murrays, and the Elizabeths, will pass once more in review before us; but in a manner infinitely surpassing all human trials. The examination will be made by HIM, who cannot be baffled in his sagacity. The sentence will be pronounced

nounced by Him, who cannot be mistaken in his judgment. And the honour of Mary, I am convinced, will then be asserted with a particularity of notice and in a tone of decisiveness, in some measure proportioned to her unparalleled sufferings; to the dreadful inflictions, which she underwent from the oppressions of her persecutors in her person; to the more dreadful stabs, which she received from the knives of her assassins in her reputation; and to the still more dreadful wounds, which, from the easy affiance of the world on slanders, have been rankling and festering there, through the long period of two ages since.

CON-

CONCLUSION TO THE WHOLE.

HA V I N G now attended the sonnets, contracts, and letters, through all their discernible varieties of fortune; let us just perform the last offices to them, and see them quietly interred in the grave of time.

On their flight from London in January 1569, they and their containing coffer accompanied Murray into Scotland. In his custody they still continued. By his formal receipt in privy council indeed, upon the 16th of September before; he “*upoun his honour* faythfullie promittis, that the
“*saïd haill letteris and writtingis* shal be alwayis
“*readie and furthcumand* to the—Erle of Morton,” who pretended to take them from Dalglish, &c.* But, though he promised, he did not perform. Yet let him not be charged with any violation of his honour. “A certain knight,” says the clown in Shakespeare, “*swore by his honour* they were good
“*pancakes, and swore by his honour* the mustard
“*was naught; now, I’ll stand to it, the pancakes*

* Appendix, N° iv.

“ were naught, and the mustard was good, and yet
“ *was not the knight forsworn*:—if you swear by that
“ that is not, you are not forsworn; no more was
“ this knight, swearing by his honour: FOR HE
“ NEVER HAD ANY, OR, IF HE HAD, he HAD
“ SWORN IT AWAY, BEFORE EVER HE SAW THOSE
“ PANCAKES OR THAT MUSTARD.” Murray kept
the box and its contents in his own possession, during
the rest of his life. And at the sudden and horrible
termination of his life, in January 1570, they passed
away into the hands of his servants. By the negli-
gence of the man who knew them so well, and had
made so good a use of them, they were left to the
care of mere servants.

Under that care they continued for several months.
Morton, and Lethington, seem not to have taken
the slightest concern about them. They knew
them as well as Murray. They therefore neglected
them as he did. But Lenox, who returned not
into Scotland till the May following, and was un-
acquainted with the forgery of them, very naturally
considered them in another light. Armed with the
power of the kingdom, under the title first of a
lieutenant, and then of a regent; he wrested them
out of the mean hands, in which they had been left
so long. He even ordered them to be formally
copied. He authenticated his copies by his own
subscriptions, and the subscriptions of his privy
counsellors. And he retained these in his own
possession, while the originals travelled up to
London again*. There another conference was

* Appendix, N^o iv.

appointed by Elizabeth, for settling the affairs of Mary and her kingdom. It was only one of the many engines of hypocrisy, which, at any sudden emergency in her politicks, she directed against the unhappy Queen. Morton was appointed one of the rebel commissioners, for this mock-conference. And he was to take the important casket with him, and, if there should be any occasion, to use the papers in it against Mary. He accordingly gave a formal receipt for them in privy council, as Murray had done before. On Jan. 22, 1571, he “promise and oblige him,” says the privy council, “to bring agane and deliver the said box and principal letteris to the said Lord Regent, at his returning from this present legatioun*.” Thus equipped, he set forth. Thus equipped, he returned too. He returned soon. But he restored not the papers to Lenox. He acted just as Murray had acted before. He kept them in his own possession. He kept them, even though he was not regent as Murray was; and though he had bound himself to restore them to Lenox, “at his returning from his present legatioun.” And he attended still less than Murray, to the perpetual preservation of them.

By this conduct, first adopted by Murray and then copied by Morton, the papers were taken out of that publick custody, in which they would most probably have been safe to the present day; and committed to that private, broken, and fortuitous

* Appendix, N^o iv.

guardianship, in which they were pretty sure to perish at last. Neither Morton nor Murray, who knew them best, chose to deposit them among the publick records, and so submit them to publick inspection. They thought it best, to retain them in their own tuition. And they acted wisely in so doing. When the Egyptians constructed a magnificent temple to a monkey, had they been prudent enough to forbid the entrance of the profane into it, the baboon might have passed for a god.

The papers accordingly remained in Morton's possession, to the day of his death, June 2d, 1581. They were then conveyed privately and clandestinely, by the bastard sons of Morton *, to one of the original conspirators with him against Mary; even to that Lord Ruthven, now Earl of Gowrie, who was heir to the principal assassin of Rizzio, and actually concerned himself in carrying the Queen to Lochlevin. They were considered as the sacred palladium of rebellion; as the holy image, which was only to be seen by the priests of anarchy, and on the keeping of which from the general eye, depended the fate of the whole empire of mis-rule. For this reason, Gowrie was unwilling to own that he had them. He was still more unwilling to part with them. He was urged by Elizabeth's embassadour. He was solicited by James's prime minister. The minister had a curiosity to see them. The Queen wanted to turn them again upon Mary. And Gowrie would not part with them to either †.

* Crawford, 371, and Moyse, 51.
42—46.

† Robertson's Diss.

At this period of their history, King James knew of their existence, and of the hands in which they existed. Yet he never offered to force them away*. He left them to continue there unmolested. But they did not continue long so. That busy period of plots would not suffer them. In 1584 Gowrie received the punishment from James, which he had long merited from Mary. And the papers seem to have been then transferred to a man, who was worthy to be entrusted with the charge, who was nephew to Morton, and had been recently a conspirator and a rebel with Gowrie; the Earl of Angus†.

But the necessary season of concealment, must now have been nearly elapsed. All the great actors upon the scene, had successively disappeared from it; and had gone to lodge in the bosom of eternity, for that revival of their actions, which OMNISCIENCE will execute, and OMNIPOTENCE will ratify, in the sight of all the world. The interests of survivors were less engaged, in the spuriousness or the authenticity of the papers. And the care, which had incidentally preserved them hitherto, by taking pains to conceal them from the publick, would now be relaxed, as the reason was removed. Accordingly, they appear to have been no longer transmitted from one hand to another; and, when the assassin or the executioner had cut short the life of their present proprietor, to have instantly migrated with the soul of rebellion, to some other child of election. At the death of Angus, they rested peaceably with the

* Robertson's Diff. 46.

† Goodall, i. 35—36.

Douglases. The transferrible feud now settled into an inheritance. And the wandering palladium of Troy, became stationary in the forum of Rome. "I find," says Mr. Goodall, "an anonymous historian, *who wrote about the restoration of King Charles II, affirming; that the box and letters were at that time to be seen, with the Marquis of Douglas* *."

Yet where are they at present? Hic labor, hoc opus est. In the recent days of Mr. Goodall, they were supposed by some to be still in the family of Douglas. But they were reported by others to have been seen at the Duke of Hamilton's†. The Hamiltons had then, by the termination of their line in an heiress, become Douglases. Yet the contradictoriness of the report and the suppositions, shews the uncertainty of both. And the non-appearance of them since, evinces both to be false. A contest has been since maintained concerning them, with peculiar vivacity and vigour. The whole nation has stood by, attentive to the issue. The house of Hamilton, and the family of Douglas, have interested themselves, no doubt, equally with all the reading and historical part of the nation; and must have produced the papers, if they had them in their own possession. No longer employed in the turbulence of war, the Douglases and the Hamiltons have leisure to superintend the contests of literature; to consider them as equally important now, with an inroad or an insurrection formerly; and to be as

* Goodall, i. 36.

† Ibid. *ibid.*

ready as ever, to mingle in the fray. Indeed the papers are too singular in their nature, and too distinguished in their history, not to be known wherever they are found. And the casket, in which they were originally repositied, and with which, in all probability, they have always travelled; being “ane
“ small gylt coffer, not fully ane fute lang,” and
“ being garnischit in findrie places, with the Romane
“ letter F under ane Kingis crowne *;” is an object, impossible to lie unnoticed in any library.

They *may*, however, have been separated from their original vehicle. They *may* also be kept concealed by that spirit of party, which originally withheld them in England and in Scotland from the eye of examination, and of which the ghost is seen to haunt us still at times. Or they *may* have perished in that sweeping fire, which in December 1758 consumed the castle of Douglas, the seat of the Earl of Angus in 1581, the seat of the Marquis of Douglas in 1660; and consumed with it the greatest part of the furniture, paintings, and *papers* in it. But we need not be anxious for their appearance. Their fate has been already pronounced. They are proved to be forgeries, by all the possible modes of trying them. The INTERNAL, the EXTERNAL evidence; their variations in SUBSTANCE, their variations in FORM, their variations in WORDS, and their variations even in LANGUAGE; the history of the REBEL CONDUCT, the history of ELIZABETH'S PROCEEDINGS, at the conferences in England concern-

* Anderson, ii. 92.

ing them; their CONTRADICTIONS TO FACTS, their REPUGNANCES TO COMMON-SENSE, their INCONSISTENCES WITH ALL CHRONOLOGY, and their violent OPPOSITIONS TO THEMSELVES AND TO EACH OTHER; all shew them to be forgeries, with an accumulative weight of testimony. And, in this state of the papers, what purpose could the appearance of the originals serve?

Mr. Hume indeed, and Dr. Robertson, but the latter more faintly than the former, have been weak enough to insinuate; that they were destroyed by King James *: as if those, who always kept back the originals from view, were not the only persons likely to destroy them; as if, at their *first* appearance, the papers had not shamefully skulked from inspection awhile, and infamously fled away at last to avoid it; and as if they would venture to be more bold and daring, at their *second* appearance. Elizabeth probably was also weak enough to think, or artful enough to insinuate, they would be so treated by him; when she endeavoured to recover the fugitive pieces, that she had so readily dismissed before. And she and our two historians were influenced undoubtedly to think or to hint so, from the same principle operating more or less vigorously in all; from their eagerness to strike, their inability to wound, and their promptness to catch at any void of hope, that seemed to promise a more decisive blow. But, were the originals before the publick at present, they could not recall

* Hume, v. 148, and Robertson, Diss. 46.

the proscription, that has gone out against them and the copies. They might aid the arguments for it; but they could not weaken them. They might add one more reason, to the many already adduced against the papers; and prove to those who were criticks in the hand-writing of Mary, that they were *not* written by her. This I doubt not but they would prove. The steady refusal of Elizabeth to let them be seen; and the repeated hints in the letters themselves, of their being badly penned; very plainly concur in shewing they would. And THE ONLY ONE of these papers, which is known to exist IN THE ORIGINAL at present, the first contract, HAS DONE SO ALREADY FOR ITSELF. But then this evidence would form a very small addition, to the general testimony. From its nature, it must be confined to a few. And, in the mean time, the other evidences are addressed to the understandings of all, must be felt in the convictions of all, and will be acknowledged by the tongues of all.

The comet, that gleamed so formidable to the eyes of our fathers in 1682, and speedily shot back into those wilds of space, from which it had come forward to their sight; was long expected to appear again. Some were even credulous enough to suppose, that it would then do what it had not done before; that it would come much nearer to the orbit of the earth, and set fire to the world. It accordingly appeared, *as we are told*, about seven-and-twenty years ago. But how different was the real, from the threatened, appearance; and even how

much feebler was its second aspect, than its first!
It was no longer a meteor,

—— that from its horrid hair
Shook pestilence and war.

It no longer carried an awful terrour with it, as it failed with its long train of flames, over the heads of the gazing nations. The mighty comet was shrunk up, into a petty star. The vast orb, that was to swallow up the earth in its fires, *could only be seen by a telescope*. Astronomers surveyed it with some attention. But, to the rest of mankind, it was *an invisible point of light*. And the generality of the world very naturally agreed, therefore, to laugh at the comet, the supposers, and the surveyors, all united together.

A P P E N D I X.

I THINK it proper to annex to the whole, the principal of those passages in the original papers, upon which I have founded the main parts of my Vindication preceding. Every work should be compleat in itself,

In seipso totus teres atque rotundus ;

if it can be made so, consistently with any attention to its size. I have therefore referred to those passages here, in the course of the work before. And I shall now subjoin some dissertations to them, in order to elucidate a few points additional in the clouded history of Mary, to assert still farther the insulted interests of truth, and to maintain still more the violated rights of innocence.

N° I.

ACT OF SECRET COUNCIL.

“ Apud Edinburgh, quarto die mensis Decembris,
 “ Anno Dom. 1567.”

N. B. As there are some variations between this and the next record, I have marked them with Italicks in both. And I have broken both into paragraphs.

“ The which daie my Lorde Regentis Grace,
 “ the Lordes of Secrete Counsale, and uthers, Ba-
 “ ronis, and men of jugement above written, be-
 “ ing convenit in counsale: it was proponit unto
 “ them, that the parliament now approchis, wheir-
 “ in the cause of the apprehension and reteninge
 “ of the Quene, our Soverane Lords moder, mon
 “ be debaitit, reffonit, and tryit; and it found and
 “ declarit, qhither the noblemen and others,
 “ quhilkis tuke armes before the saied apprehen-
 “ sion, and whiche joyned with them and assisted
 “ them at that time or ony wise sensyne, has donne
 “ the dewetie of noblemen, and subjectis, and na-
 “ wise offendit nor transgressit the lawes in that
 “ *fact*, or anie thing depending thiron, outhir pre-
 “ ciding or followinge the same, *or not*; and in
 “ caise it be found, that they have not offendid,
 “ but done their dewtie, how and be what meane
 “ a full and perfect law and securitie maie be ob-
 “ tanit

“ tanit and maid for all them, that other be deid,
“ counsaie, or subscription hes enterit in that cause
“ sen the beginnunge.

“ The matter being largelie and with gud deli-
“ beracion reffonit at great length, and upon son-
“ dry daies; at last all the saied Lords, Barronis,
“ and others above expremit, can find no other
“ way or moyen how to find or make the saied
“ securitie, but be oppynyng and reveling of the
“ trewth and grund of the haill matter fra the
“ beginnunge plainlie and uprichtlie, quilk (in sa
“ far as the manifestation theirow maie tend to the
“ dishonor or defestimation of the Quene) they air
“ maist loith to entre in, for that luif they beare
“ unto hir person, wha somtime was their Sove-
“ raine, and for the reverence of his Majestie,
“ whais moder she is, as alsua thay mony gude
“ and excellent gifts and virtues quharewith God
“ sometimes indowit hir, gif otherwise the sinceri-
“ tie of their intentions and procedings from the
“ beginnunge myt be known to forrein nacions,
“ and the inhabitantes of this ile (of whome mony
“ yit remains in suspence in judgement) fatisfiet
“ and resolvit of the richtnesness of their quarrel,
“ and the securitie of them and their posteritie be
“ ony other meane myght be providit and esta-
“ blished.

“ But sen God will suffer no wickidnes to be
“ hid, and that all actions, otherwise foundat nor
“ on the simple and nakit treweth, what apperance
“ that evir they have, has na continewance nor
“ stabilitie;

“ stabilitie * ; theirfore the Lords of Secrete Coun-
 “ sale, Barronis, and men of judgement above ex-
 “ premit, desires it to be found and declarit be
 “ the estates and haill body of the parliament, that
 “ the cause and occasion of the *previe* conven-
 “ fionis and messages of the Erles, Lords, Noble-
 “ men, and Baronis, and others faithfull and trew
 “ subjects; and consequentlie their taking of armes,
 “ and cominge to the fields with oppin and dis-
 “ plait baneris; and the cause and occasion of the
 “ tacking of the Quene’s person upon the 15th
 “ daie of Junii last bypast, and holding and de-
 “ teininge of the same within the hous and *place*
 “ of Lochlevin continewallie sensyne, presentlie,
 “ and in all tymes comyng; and generallie all
 “ other things inventit, spokin, writtin, or donne
 “ be them or anny of them, sen the tent daie of
 “ February last bypast (upon quilk daie umqle
 “ *King Henrie*, the Quene’s lawfull husband, and
 “ our Sovereine Lord the King’s dearest father,
 “ was shamefully and horiblie murtherit) unto the
 “ daie and date *beirof*, toweching the saied Quene
 “ hir person; that caus, and all things depending
 “ theiron, or that anie wise maie apperteine their-
 “ to, the intromissioun *with the* disponinge upon
 “ hir propertie, casualties, or *other thing whatsoever*
 “ pertainig, or myght pertene, to hir; wes in the
 “ saied Quene’s awin default, in a [as] far as be
 “ DIVERS HIR PREVIE LETTRES WRITTIN AND

* What a double hypocrisy have we here !

“ SUBSCRIVIT WITH HIR AWEN HAND, and sent
“ by hir to James Erll Boithwell, cheiffe executor
“ of the said horrible murder, awell [as well] be-
“ fore the comitting theirow as therafter, and be
“ hir ungodlie and dishonorable proceedinge *in a*
“ *priveit* mariage suddanlie and unprovifitlie yar-
“ efter, it is most certeine, that she was previe,
“ art and part, *and* of the actuall devise and deid
“ of the foir-*mencionit* murther of the Kinge, hir
“ lawchfull husband, our Sovereine Lorde’s father,
“ comittit be the said James Erll Boithuill, his
“ complices and partakers; and theirfore justlie de-
“ servis whatsoever hes bin *attemtit or shal be usit*
“ *toward hir* for the said caus.

“ Whiche murtheir although be mony indirect
“ and colorat meanes she and the said Erll zaid
“ about to collour, and to hold bak the knowlege
“ of the trewith *theirow*, yit all men in their harts
“ were fully perswaided of the authors and devisers
“ of that mischevous and unworthie fact, awaiting
“ quhill God fuld move the harts of som to en-
“ ter in the quarrell *of* reveng of the same; and,
“ in the meaine time, *a* great part of the nobilli-
“ tie, upon just feire to be handillit and demanit
“ in seamblable manner, as the King had bene of
“ befoire, persaivinge the Quene so thrall and *bludy*
“ affeccionat to the privat appetite of that tyran,
“ and that she and he had conspired togider sic
“ horrible cruelties, being theirwith garnysit with
“ *a* companie of ungodlie and vicious persons redy
“ to accomplishe all their unlawchfull commaund-
“ ments, of whome he had a sufficient number
“ continewallie

“ continewallie awaiting upon him for the same
“ effect; all noble and vertuous men abhorring
“ their *traine* and companie, but chiefly suspect-
“ ing that they, who had so treffonablie put doune
“ and destroit the father, shuld make the innocent
“ Prince, his only sonne, and the principall and
“ almost onlie comfort sent be God to this af-
“ flictit nacion, to tast of the same coupe, as the
“ many inventit purposes to pas where he wes, and
“ where the noblemen *in that opin confusion prevelie*
“ *reposit themselves*, gave sufficient warning and de-
“ claracion.

“ Quheirfore the seid Erlls, Lordes, Barronis,
“ and utheris faiethfull and trewe subjects, taking
“ armes, or otherwise whatsumever joyning and
“ assisting in the said action, in the said conven-
“ cionis, *taking armes*, displaing of banners, com-
“ ing to the feilds, taking and reteining of the
“ Quene’s person, aswell in times bypast as heir-
“ efter, and all other things *movid* or done be
“ them or anie of them touching that caus, and all
“ things depending thereon, or that oniewise maie
“ apperteine theirto; the intromission *with* or dis-
“ poninge upon hir propertie, casualties, or other
“ things whatsumever perteing or myght per-
“ teine to hir; wes *awnterlie* [aluterlie] in default
“ of hir selfe and the said Erll Boithuill, and
“ be the horrible murther *and crueltie* of our So-
“ verein Lord’s father, conspirt, devisit, comittit,
“ and concelit be them, colorit, and not condign-
“ lie punisht, be them *and their perfitt counsaile*:
“ and that the said Erles, Lords, Barronis, and
“ others

“ others *faithfull and trewe* subjects, convenit at
 “ ony convencions efter the faied murther, for
 “ furthering of the triall theirow, and als they and
 “ all others that weire on the filds, tuke armes,
 “ *tuke*, held, kepit, *and* detenit, presentlie holds,
 “ keipis, *and* detens hir person, or fall heirafter, or
 “ that hes joynit and assistit them in that quarrell
 “ *sensyne*, and towching the haill premisses; ar, wer,
 “ and shall be, innocent, fré, and quit of the same,
 “ and of all accion and cause, criminall *or* civile,
 “ that maie be intentit or persewit agains them
 “ or anie of them theirfore, in time cominge:
 “ and that *a* parte of the Thré Estats forsaieds,
 “ Prellats, Bushoppes, Greit Barrons, and Burgeses,
 “ gif thair felis heirupon, to be usit as shal be
 “ thought maist expedient be them, for the honor
 “ of the realme, and securitie of the noblemen and
 “ otheris having entrit [interest] in the caus.

“ JAMES, Regent.

“ MORTON, Chancellair.

“ GLENCARNE.

“ ERROLL.

“ BOWCHANE.

“ ALEX. Lord HOME.

“ RUCHVEN.

“ Lord SIMILL.

“ JOHN GLAMISS.

“ PATRICK Lord LINDSAY.

“ PAT. Lord GRAY.

“ JOHN Lord GRAHAME.

“ UCHILTIRE.

"INNERMETH.

"ADAM ORCHADEN.

"ROBERT, Commendator of DUM-

"FERLING.

"ALEXANDER, Commendator of

"CULROSS.

"Sir JAM. BALFOR.

"JA. MAKGILL.

"HEN. BALNAVES.

"W. MAITLAND.

"DRUMLANERK.

"CONINGHAMEHEID.

"JOHN ERSKAN of DUN.

"WM. KIRKALDEY.

"JO. WISHERT of PETARRO.

"JAMES HALYBURTON.

"CRAIGMILLAIR *."

N° II.

ACT OF MURRAY'S PARLIAMENT,

DEC. 15—29, 1567. c. xix.

"ITEM, anent the artickle proponit be the
 "Erlis, Lordis, and uther Nobillmen, quha tuik
 "armis at Carbarrie-Hill, upon the xv. day of

* Goodall, ii. 62—66, and Haynes, 453—455. Mr. Goodall's copy not being strictly accurate, I have corrected it by Haynes's.

"Junii

“ Junii last bypast; and anent thair conveningis
“ of befoir, and of the cause of the apprehensioun
“ of the Quene, mother to our Souverane Lord;
“ and quhiddel the saidis nobillmen and utheris,
“ quhilkis tuik armis of befoir hir said apprehen-
“ sioun, and quhilkis joynit with thame and assistit
“ thame at that tyme or *ony wayis* sensyne, hes
“ done the dewtie of nobillmen, good *and trew*
“ subjectis of this realme, and na wayis offendit
“ nor transgressit the lawis in that *effect*, or ony
“ thing depending theirupon, outhir preceding or
“ following the samin :

“ OUR SOVERANE LORD, with avise of
“ my Lord Regent and thré estatis and haill body
“ of this present parliament, hes fundin, declairit,
“ *and concludit*, and be this present act findis, de-
“ clairis, *and concludis*, that the cause and occa-
“ sioun of the conventiounis and messageis of the
“ saidis Erlis, Lordis, Nobillmen, Barronis, and
“ utheris faithfull and trew subjectis, and conse-
“ quentlie thair taking of armis, and coming to
“ the feildis with oppin and displayit banneris;
“ and the cause and occasioun of the taking of the
“ *said* Quenis person, upon the said xv. day of
“ Junii last bypast, and halding and detening of
“ the samin within the housis and *fortalice* of Loch-
“ levin continuallie sensyne, presentlie, and in all
“ tyme cuming; and generallie all uther thingis
“ inventit, spokin, writtin, or done, be thame or
“ ony of thame *to that effect*, sen the tent day of
“ Februar last bypast, upon the quhilk day um-
“ quhile *Henry King*, than the said Quenis lauch-

“ full husband, and our Souverane Lord the Kingis
 “ derrest father, was treffonablie, schamefullie, and
 “ horriblie murthourit, unto the day and dait of
 “ *this present act; and in all tymes to cum*, tuiching
 “ the said Quene, *and detening of hir person*; that
 “ *the* caus, and all thingis dependand thairon, or
 “ that ony wayis may pertene theirto, the intro-
 “ missioun *or* disponing upon hir propertie, casuali-
 “ teis or quhatsumever *thing* pertening or *that ony*
 “ *ways* mycht pertene to hir, was in the said
 “ Quenis awin default, in *sa* far as be DIVERS HIR
 “ PREVIE LETTERIS WRITTEN HALELIE WITH HIR
 “ AWIN HAND, and fend be hir to James *sumtyme*
 “ Erle of Bothwell, cheif executour of the said
 “ horribill murthour, as weill befoir the commit-
 “ ting thairof as thairefter, and be hir ungodlie and
 “ dis-honourabill proceding *to* ane *pretendit* mariage
 “ with him, suddandlie and unprovistlie thairefter,
 “ it is maist certane, that scho was previe, airt and
 “ pairt, of the actual devise and deid of the foir-
 “ *namit* murthour of the King hir lauchfull husband,
 “ *and* father to our Soverane Lord, committit be
 “ the said James *sumtyme* Erle of Bothwell, his
 “ complices and partakeris; and thairfoir justlie
 “ deservis quhatsumever hes bene *done* to hir *in ony*
 “ *tyme bygaine, or that sall be usit towardis hir* for
 “ the said cause *in tyme cuming, quhilk sall be usit be*
 “ *advise of the nobilitie* *:

“ *In respect* that our said Soverane Lordis mo-

* This inserted clause betrays a suspicion in Murray's parliament, that Murray meant, under the *general* terms of the *act of council*, to have murdered Mary.

“ ther,

“ ther, with the said James *sumtyme* Erle of Both-
 “ well, zeid about be indirect and colourit menis,
 “ to colour and hald back the knowledge of the
 “ treuth *of the committaris of the said cryme*; zit all
 “ men in thair hartis war fullelie perswadit of the
 “ authouris and devysaris of that mischevous and
 “ unworthie fact, awaiting quhill God sould move
 “ the hartis of sum to enter in the querrell *for re-*
 “ vengeing of the samin; and, in the mene tyme,
 “ *ane* greit pairt of the nobilitie, upon just feir to
 “ be handlit and demanit in semlabill maner, as
 “ the King had bene of befoir, persaving *alswa* the
 “ Quene sa thrall and *sua blindlie* affectionat to the
 “ private appetyte of that tyrane, and that *baith*
 “ he and scho had conspirt togidder sic horrible
 “ crueltie, being thairwith *all* garnissit with *an* cum-
 “ panie of ungodlie and vitious personis, reddy to
 “ accomplishe all their unlauchfull commande-
 “ mentis, of quhome he had ane sufficient number,
 “ continuallie awaiting upon him for the samin ef-
 “ fect; all nobill and vertuous men abhorring thair
 “ *tyrannie* and cumpanie, bot chiefly suspecting that
 “ thay, quha had so treffonablie put downe and de-
 “ stroyit the father, sould mak the innocent Prince,
 “ his onlie sone, and the principall and almaist on-
 “ lie confort send be God to this afflictit natioun,
 “ to taist of the samin coup, as the mony inventit
 “ purposis to pas quhair he was *, and *alswa qubair*

* This allegation refutes itself, by its infinite absurdity.
 What “purposis” needed the *Queen* to “invent,” for seeing
 her son?

“ *the nobillmen war in be thair oppin confusioun, gaif*
“ *sufficient warning and declaratioun :*

“ *Quhair-throw the saidis Erlis, Lordis, Bar-*
“ *ronis, and utheris faithfull and trew subjectis,*
“ *taking armis, or utherwyse quhatsumever joyn-*
“ *ing and assisting in the said actioun, and in*
“ *the saidis conventiounis, displaying baneris, and*
“ *cuming to the feildis, taking and retening of the*
“ *Quenis person, asweill in tymes bypast as heir-*
“ *ester, and all utheris that bes thairefter or fall*
“ *in ony time cuming adjoyne to thame, and all things*
“ *done be thame or ony of thame tuiching that*
“ *cause, and all uther thingis depending thairon,*
“ *or that ony wayis may appertene thairto ; the in-*
“ *tromissioun or disponing upon hir propirtie, or*
“ *casualteis, or quhatsumever uther thingis per-*
“ *tening or ony wayis micht appertene to hir ;*
“ *was in default of himself and the said James sum-*
“ *tyme Erle of Bothwell, and be the horribill and*
“ *cruell murther of our said Soverane Lordis um-*
“ *quible derrest father, conspyrit, devysit, com-*
“ *mittit, conseilit, and colourit be thame, and not*
“ *condignelie puneist according to the laws :* and
“ *that the saidis Erlis, Lordis, Barronis, and*
“ *utheris trew and faithfull subjectis, convening at*
“ *ony conventioun bygaine, and now presentlie efter*
“ *the said murthour, for furthering of the tryell*
“ *thairoff ; and als thay and all utheris that war on*
“ *the feildis, tuik armis, apprehendit, held, keipit,*
“ *or detenit, or presentlie haldis, keipis, or detenis*
“ *hir person, or fall thairefter, or that has joynit or*
“ *assistit*

“ assistit *or fall in ony time beirefter joyne* to thame
 “ in that querrell, tuicheing the premisses; ar, war,
 “ and fall be, innocent, fré, and *acquyte*, of the
 “ famin, and of all actioun and cause criminall *and*
 “ civill, that may be intentit or persewit aganis
 “ thame or ony of thame thairfoir, in *ony* tyme
 “ cuming: and that *ane* pairt of the thré estatis
 “ foirfaidis, Prelatis, Bischopis, Greit Barronis, and
 “ Burgeffis, gif thair seillis thairupon, to be usit as
 “ fall be thocht maist expedient be thame, for the
 “ honour of the realme, and security of the no-
 “ bill-men and utheris, havand enteres [interest]
 “ in the *said* cause: *and decernis this declaratioun to*
 “ *be na wayis prejudiciall to the issue of our Sove-*
 “ *rane Lordis mother, lauchfullie cumin of hir body,*
 “ *to succeid to the crowne of this realme* *, *nor thair*
 “ *airis* †.”

WE have here a most extraordinary clashing between these two records, in the description which

* This forms a second guard against the ambition of Murray. He thought of no such clause in the act of council. The parliament therefore suspected, that he had a design upon the succession. And they added this clause, to bar his design. Yet all would have been in vain. No legal ties could have held in this ravening beast of prey, now couching to spring upon his object. Notwithstanding the clause preceding in favour of the *mother*, he was meditating her murder when she escaped from Lochlevin (Anderson, iv. part i. 31). And, notwithstanding this present clause in favour of the *son*, we may be very sure he would have removed him out of the way. His sudden death, no doubt, saved the throne, the life, or both, of the young child.

† Goodall, ii. 66—69.

each gives of the letters. The act of council describes them, as “written and subscribed” by Mary; and the act of parliament, only as “written wholly” by her. This decisive evidence of a most substantial variation in the letters, has greatly perplexed the writers in opposition to Mary; ever since Mr. Goodall first produced it against them. Mr. Hume, therefore, laboured much to repell the force of it, by having recourse to a supposed blunder in the clerk penning the act of council; who meant the word “written” for the letters, he *supposes*, and the word “subscribed” for—*the second contract*; but erroneously applied both to the letters. This ridiculous *fallacy of disjunction*, as the logicians term an argument of a somewhat similar nature, being properly exposed by Mr. Tytler, as a supposition in the very face of fact; the Miscellaneous Remarker, *praising Mr. Hume’s as he passes along*, advances up with another, and ascribes the words to a different sort of blunder in the clerk; who finding “written and subscribed” generally united together,—in some writings that concern *the sub and pri volvani of the moon**, mechanically added “subscribed” to “written.” This and the other extravagance of apology, I have held up before to the universal contempt of mankind. And Dr. Robertson, suspicious (as it seems) of the foolishness of both, *praises both*, and—proceeds to a third. This humour, so distinguishable in these champions for usurpation, of *praising* one plan and

* See Butler’s Genuine Remains by my late friend, the ingenious Mr. Thyer, i. 5, 6, &c.

pursuing another, is quite in the style of Virgilian husbandry :

Laudato ingentia rura,
Parva tene.

On this plan, however, Dr. Robertson still ascribes the confounding words to a blunder. They must necessarily arise from a blunder somewhere, because they press so fore upon the *honourable* cause of rebellion, calumnation, and forgery. “The “stars in their courses” can never fight against these *honest* Philistines. But the blundering clerk is now changed into the blundering transcriber. And as we have only a *copy* of this act of council, says Dr. Robertson; the copier of it “has been “manifestly so ignorant or so careless, that an argument, founded entirely on the supposition of “his accuracy, is of little force *.” I shall therefore examine this plea, the last (I believe) that will ever be brought, against so plain a proof of forgery in the rebels; and show it in all its absurdity, to the staring eyes of the world.

This act of council is taken from a copy, *in a repository wholly favourable to the rebels*. It is taken, says Dr. Robertson himself, from “a copy “of it found among CECIL’s papers †.” The copy therefore was given in, *by the rebels themselves*. Coming from *them*, we cannot doubt its agreement, in any point that is *unfriendly* to them, with the lost original in the books of privy council. And the rebels cannot hope for better treat-

* Hist. ii. 367—368. edit. xith.

† P. 367.

ment, even from a friend ; than to be tried by their own and Cecil's papers.

Thus authenticated in general, what particular objections *can* the good Doctor make to its veracity ? He produces three passages out of it, which he *thinks* to be proofs of " carelessness" or of " ignorance," and which he *hopes* will invalidate its authority. From such an argument of invalidation, few records perhaps could be safe. But Dr. Robertson minds not consequences, in his zeal of hostility against a paper, which was so unfortunately furnished by the rebels, and so unluckily preserved by Cecil. He would willingly shake the whole globe, if he could but trample this paper under his feet. And yet his efforts are as weak, as his spirit is strong.

I.

The act of council calls the Queen's marriage with Bothwell, " a private" one ; when in fact, says Dr. Robertson, it was a publick one, and in the act of parliament is only called, " *ane pretendit* marriage." Yet, even upon the Doctor's own state of *facts* in his *history*, the marriage might properly be called a *private* one. *Here* indeed, in his *dissertation*, in order to serve his *present* purpose, the Doctor says, " it certainly was *not*" a private marriage ; " *for* it was celebrated, after proclamation of banns in St. Giles's church three several days, and with public solemnity *." But let us

* P. 368.

turn to his *narrative*. There we find *this* account of the marriage. “The ceremony was performed,” he *there* says, “in public, according to the rites “of the Protestant church—; and *on the same day* “was celebrated IN PRIVATE, according to the “forms prescribed by the Popish religion*.” And the Doctor is convicted by his own confession.

This assertion of his, however, is founded upon the credit of two papers formed by the rebels, “Anderson, i. 136, ii. 276.” I have replied to both before, and shown the falsity of the second marriage in both †. But as the rebels averred Mary to have been married to Bothwell, once in the Protestant and once in the Popish manner; and as the Protestant celebration of the marriage was certainly a *publick* one, being known to be very indecently performed in the *council-chamber* of the palace, preferably to the *chapel* of it ‡; the Popish one has therefore been affirmed to be *private*. Nor does the Doctor vary at all his *narration of facts*, even in his *last* edition; however he may chuse to shift his ground for conveniency, in *his train of reasonings* there. His narration is still the same as before §. And the marriage may, even upon *his own retained account of it*, be as properly called a *private* marriage, as a publick one.

It is really called a *private* one, we see, by the act of council. The rebels have thus lent some little countenance to the manner, in which our later historians have too freely celebrated the two

* i. 420. edit. ivth.
80.

† iii. 135.

‡ Melvill,

§ See i. 435. edit. xith.

marriages

marriages of the rebels. It only denominates the whole, from the *private* celebration; just as the Doctor, to bolster up an argument here, would wish to denominate it from the publick. But when the act of parliament came to be drawn up from the act of council, the asserted *privateness* of the marriage was thought fit to be discarded. Either it was considered as implying a false fact, in the private and Popish marriage of the Queen; and so was rejected upon the principles, on which I have rejected it before. Or, which is more probable in such convicted falsifiers, it was observed to militate directly against the rebel journal; which avers the Queen and Bothwell, to have been “*publicklie*” “*mareit efter baith the fortis of the kirkis, reformit*” “*and un-reformit* *.” And “*priveit*” was now changed into “*pretendit*.”

We have thus a compleat refutation of Dr. Robertson's remark. But we have more. We have also the rebel act of council, asserting the marriage to have been a *private* one; and the rebel journal affirming it to have been a *publick* one. Nor is this contradiction to be accounted for, by referring one assertion to the publick celebration, and ascribing the other to the private. No! the journal precludes this reconciliation of the jarring authorities. The journal avers the marriage to have been *publick*, in *both* celebrations. It thus takes away all *possibility* of *privateness* in the whole. And the two papers stand looking at each other, just as Dr. Robertson's *history* and *dissertation* do

* Appendix, N^o x.

also at present; facing each the other with eyes of hostility, and manifesting to the world the artificialness and the falshood of both.

II.

We have likewise in the act of council these words, describing the Queen to be “so thrall and “*bludy* affeccionat to” Bothwell; and in the act of parliament these, “sua thrall and sua *blindly* affeccionat to” him. This variation is accordingly produced by Dr. Robertson, as another evidence—of what?—of “carelessness” or of “ignorance” in the copier of the act of council, though a rebel himself, and the agent of rebels; and as destroying, by its “nonsense,” all possible confidence in the justness of his copy.

Why has not Man a microscopick eye?

For this plain reason, Man is not a fly.

But prejudice can reduce him to the one, and so supply him with the other. It has here done so, by Dr. Robertson. Nothing but the petty opticks of a fly, could have viewed this variation as of moment, and so have aggrandized a grain of sand into a mountain.

“Bloody” is an adjective of power affixed *yet*, as we all know, to any word that vulgar language wants to heighten. In such language a man is “bloody” cruel, “bloody” fond, or “bloody” affectionate; even in *England*, and in *our own days*. And the word was superseded afterwards in the act of parliament,

parliament, by “*blindly* affectionat;” in the same spirit of correction from the pen of James Macgill, by which he equally changed the “priveit” of Alexander Hay, into his own “pretendit.” He altered “priveit,” no doubt, for the sake of the fact included in it. He altered “bludy” probably, because of its vulgarity.

So ridiculous are both these arguments, even as proofs of “ignorance” or “carelessness” only! So peculiarly contemptible are they both, as evidences of a “carelessness” and an “ignorance,” that carry the tremendous power with them, of annihilating the very credit of the record, in which they are found. But the third and only remaining argument, is still more contemptible and ridiculous.

III.

In the act of council we read these words, “all noble and vertuous men abhorring their [the “Queen’s and Bothwell’s] *traine* and companie.” The last words, says Dr. Robertson, either have “no meaning” or are “a mere tautology.” A meaning they certainly have. The honest part of the nation is said, to have abhorred “the train and company” that is, the retinue and attendants, of Mary and her husband. There is no want of intelligence, whatever there may be of truth, in all this. Nor is the language any more tautological, than it is in a thousand modes of expression, that occur daily in conversation, and are admitted constantly into composition. But, even if it was,

would a *tautology* blast the credibility of a record, and make the parchment shrivel up into paper? Then not a single record could escape. And the multiplied tautologies of the *law* particularly, would come like a still more furious KNOX with a still wilder band of his FANATICKS, and destroy all the legal records of the kingdom.

But, as Dr. Robertson adds, the last words of the clause run thus in the act of parliament, “ ab-
“ horring thair *tyrannie* and cumpanie.” Macgill has again been busy, in correcting the language of Hay. He considered Hay to be much beneath him, in a just propriety of writing. He therefore took liberties with his words. He altered “ pri-
“ veit” into “ pretendit,” and “ bludy” into “ blindly.” But, in neither of these alterations, did he keep steadily to the sense of the original. “ Pre-
“ tendit” is very different in signification from “ priveit,” and unites not with the context, which imports the marriage to be *real* as well as *secret*. The Queen, says the act of council, is proved to be guilty by the letters, “ and be hir ungodlie and
“ dishonorable proceadinge in a *priveit* marriage
“ suddanlie and unprovistlie yarefter.” But the act of parliament infers her to be guilty, by the letters, “ and be hir ungodlie and dishonourabill
“ proceeding to ane *pretendit* mariage with him,
“ suddandlie and unprovistlie thairefter:” where the *pretendedness* of the marriage, is introduced with an injudicious violence into the text; and the guilt, inferred from her *real* marriage with the murderer, is half of it dashed aside, by calling the marriage a
pretended

pretended one. Nor are the ideas, designed to be expressed by “*fo thrall* and *bludy* affeccionat,” properly preserved in “*swa thrall* and *blindly* affeccionat;” the aggravating force of the word “*bludy*” being lost, and a new idea of *blindness* being substituted in its room. Just so he has also acted, in changing “*traine*” into “*tyrannie*.” He has again thrust a new idea into the clause. And he has again thrust in one, that cannot incorporate with the rest.

The real meaning is obviously this: that the Queen and Bothwell had, as the words preceding tell us expressly, “a companie of ungodlie and vicious persons” about them; and that, as the next words add, “all noble and vertuous men, abhorring *thaire* *traine* and *companie*,” that is, abhorring this very “*companie* of ungodlie and vicious persons,” did do as the words subsequent tell us, “prevelie reposit themselves” at Stirling, where the Prince was. *Here* the sense is compleat. It has nothing foreign or adventitious within it. But *there* it has. It has *tyrannie*; which bears no relation to the words before, concerning the ungodly company about the court; and which carries no connection with the words afterward, concerning the retirement to Stirling. And what compleats the whole, though “the *traine* and *companie*” of Bothwell and the Queen, *might* be avoided by *retiring to Stirling*; yet the “*tyrannie* and *companie*” of them certainly *could not*. The *tyranny* could be avoided only, by retiring out of the kingdom.

IV.

Such are the mean and low arguments, that a Dr. Robertson is obliged to raise from the dirt, in the general distress of the rebel cause. James II. in an embarrassing want of money, coined half-crowns of copper; and made what was worth a penny, to stand for thirty times its value. Nor would such money need a proclamation, to cry it down. Yet a proclamation was issued, I think, in the plenitude of attention to the publick weal. I have been acting upon the same principle of attention. I have been crying down arguments, that could never have passed current. I have been exposing as sophistry, what was too obvious sophistry to need a particular exposure. Yet a vindication of Mary should rather run out into superfluity, than stop short in defectiveness. To do so, is a proper compliment to the growing candour of the publick. The friends of Mary cannot be too attentive to this. For that reason, I have been carefully lifting up the veil, that party is now hanging before the face of the rebels; in order to let the publick see at once, the shame apparent there, and the endeavours used by their partisans to hide it. And I shall go on to do the work still more, for the sake of the same publick; which has been long abused in its faith by the bold fictions of the rebels, and is daily recovering from the influence of their impositions.

There are other variations in these two records,
which

which the Doctor has *not* noticed. There are some in *favour* of his own hypothesis. I shall mention one of them. I shall thus act in a strain of generosity, that the enemies of Mary have never deserved, but the cause of Mary very naturally suggests. In the act of council we have these words, “unto the daie and date heirof, toweching the saied Quene hir person, that caus, and all” &c.; which, in the act of parliament, are taken out of their unmeaningness and disorder, and formed into this clear sense, “the day and dait of this present act, and in all times to cum, tuiching the saied Quene, and detening of hir person; that the caus, and all” &c. Here we have such an instance of erroneoufness, as a transcriber “ignorant” or “careless” *might* make. But alas! we have the same sort of erroneoufness, in the very *act of parliament* itself; though the Doctor has been all inattentive to it. I shall mention just as many instances of this, as he has mentioned of the other. In the act of council is the clause, “nawise offendit nor transgressit the laws in that *fact*, nor anie thing depending thairon;” which in the act of parliament is mended the wrong way thus, “na wayis offendit nor transgressit the lawis in that *effect*, or ony thing depending thairupon.” In the former we have these words, “was *awnterlie* [or *aluterlie*] in default of hirselfe;” which in the latter is simply thus, “was in default of hirself,” the strong word *aluterlie*, or wholly, being omitted. In the former we have also this regular thread of meaning, “the mony inventit purposes to pas where he [the young Prince] wes,
“and

“ and where the noblemen in that opin confusion
“ prevelie reposit themselfis, gave sufficient warn-
“ ing.” But, in the latter, it is all knit and ravelled
up into this mass of confusion: “ the mony inventit
“ purposis to pas quhair he was, and als wa quhair
“ the nobillmen war in be thair oppin confusioun,
“ gaif sufficient warning.” And shall we then turn
the Doctor’s battery against himself, play upon the
inaccuracy, and so endeavour to knock down the
authority, of the act of parliament? We may do
so, as we have only one cotemporary copy, either of
this or of the other; and if we chuse to act upon the
military maxims of Dr. Robertson. But we do not
chuse. We leave such objections as these, *to those*
to whom they belong, the enemies of Mary. For
our part, “ tædet harum formarum quotidianarum.”
Let *some* wits, like witches, stumble upon straws, in
their zeal against Mary. And let *us* be content to
remark, that they are such wits only, as, seeing truth
immediately before them, chuse rather to stumble
than to reach it.

Dr. Robertson’s understanding indeed, whenever
he touches upon a capital point concerning Mary,
seems to be bound up as by a spell of witchcraft.
His prejudice is that spell. But its influence is pe-
culiarly strong. It reduces the reasoner into the
sophist. It degrades the thinker into the talker.
And, what is infinitely more, it sinks the man of
dignity, of honour, and of religiousness, into the
tricker and juggler of a party.

I thus speak with spirit against Dr. Robertson.
Yet I speak not with spleen. I would exhibit him,

just as he appears to my judgment, as unfair, disingenuous, and dishonourable; as bent and bowed by the force of his prejudices, in spite of the solidity of his understanding; as seduced by his political passions, in opposition to his generous feelings; as yielding to temptations, which he hardly wished to resist; and as acting with an obliquity, that he half-sees and half-overlooks at the moment. But I would not go one step beyond this. I respect him as a writer. I esteem him as a man. Nor would I even proceed so far, if I did not know it to be perfectly just in itself, and did not see it to be absolutely necessary in its consequences. Either he or Mary must be treated with severity. And could I hesitate a moment, which should be? Shall a Lady and a Queen, innocent, amiable, elegant, and dignified, suffer? Or shall a gentleman, who slandered her at first, because he had always been in the habit of slandering her; who slandered her, even when he had positive proofs of her guiltlessness before him; and who continues to slander her at present, even when he shows by his manner, that he sees those proofs, and that he feels their pointedness? No!

Let the broad axe fall where it may, and where it ought to fall. Let the Doctor receive the chastisement, that he has merited. And let the reputation of his work be sacrificed, as it deserves to be, to the *manes* of a much-abused, a much-insulted, and a much-injured Queen*.

N° III.

* A new vindication of Mary has been just now imported among us, in a new history of Elizabeth. It is "*Histoire d'Elisabeth*"

N^o III.

LETTER FROM QUEEN ELIZABETH TO MURRAY,
JUNE 8, 1568.

“ considering the government of
“ that realme is in your powre at this present, and
“ that

“ d’Elisabeth Reine d’Angleterre, tirée des ecrits originaux
“ Anglois, d’actes, titres, lettres, et autres pièces manuscrites
“ qui n’ont pas encore paru. Par Mademoiselle De Keralio.”
It consists of five volumes octavo, and was printed at Paris in
1787 (v. 497, and the end). The authorefs treads with graceful-
ness and dignity, with fairness, vigour, and judgment, though
with many mistakes, that straight path of truth, which a Goodall,
a Tytler, and a Stuart have trod before her. Her work, so far
as concerns Mary, and Mary’s concerns form a large part of
it, is principally modelled upon these. In her fifth volume,
which consists entirely of papers, and some calculated only for
foreigners, as Magna Charta, &c.; are a few letters not pub-
lished before, to one or two of which I have previously re-
ferred. And her whole work shows very strikingly, the strong
impression which those three writers have made upon the spirits
of the publick, and the spreading influence of their arguments
on the continent, as well as in these islands. But I wish here to
show, in what manner this French authorefs thinks and speaks
of Dr. Robertson. I shall produce a few instances, and take
them as they arise. In ii. 470 she says thus of one Robert
Bruce, who published, it seems, a folio history of Scotland in
1749 (v. 486): “ il paroît avoir suivi de point en point Knox
“ et Buchanan, et avoir imité *la feinte moderation de Robertson,*
“ *qui accuse perpetuellement Marie, en paroissant la plaindre et*
“ *l’excuser*: cet artifice est en effet plus propre à séduire, que
“ l’emportement des deux premiers, et porte avec lui un ca-
“ ractere apparent d’impartialité, qui peut s’attirer d’abord la
Z 2 “ confiance

“ that by your servant Mr. John Woodd we have
 “ understood your offer, to make declaration to us
 “ of your whole doings,” &c. *

PART

“ confiance du plus grand nombre.” In iii. 200, noticing the Doctor’s account of Mary’s confident expectation of success, at the battle of Langside; M. Keralio observes: “ on ne peut
 “ rapporter *un fait plus faux que celui-ci.*” Animadverting on Mr. Hume’s following Anderson, in passing over such papers as were friendly to the Queen; she adds: “ ni lui ni Robertson
 “ n’ont pris la peine de rapporter aucun detail des procedures
 “ d’York et de Westminster, pas un registre, pas une com-
 “ mission secrete; et ils les avoient sous les yeux: avec un pareil
 “ systeme, on peut etre eloquent, on peut avoir un style seduisant
 “ et noble; mais on n’est pas historien” (iii. 343). Again in iii. 351: “ le genie et les principes de Hume et de Robert-
 “ son ont dû leur presenter la lumiere de ces raisonnemens;
 “ elle n’a pu leur echapper; ils avoient les papiers sous les yeux;
 “ ils les citent eux-mêmes; mais ils les ont alterés par d’autres
 “ vues, en renversant leur ordre et leur date; et même dans ceux
 “ d’Anderson, ils s’en sont flattés de prouver des propositions fausses,
 “ comme si personne n’avoit dû lire apres eux.” In iii. 379,
 “ Anderson et Hume ne l’ont ni rapportée ni citée” the paper
 in Goodall, ii. 295—297; “ Robertson, plus infidelle encore, l’a
 “ falsifiée en plusieurs endroits.” In iii. 409, “ ce n’est pas
 “ ainsi que Robertson raconte ces evenemens—; là, il raconte
 “ les termes des accords; mais il est aussi infidelle à la fin qu’au
 “ commencement.” In iii. 411, “ Hume, Robertson, Anderson,
 “ et Buchanan ont travaillé sciemment à deguiser la verité; les
 “ uns ont alteré, falsifié les faits dont ils ont été temoins.” In iii.
 446 she says of the author of “ Martyre de Marie Stuart,”
 that he, “ par esprit de parti, a pu s’egarer dans la cause juste,
 “ comme Robertson dans l’injuste.” In iii. 467 she says, “ Ro-
 “ bertson garde un silence aussi prudent, sur des faits qu’il ne peut

* Anderson, iv. 68—70, and Goodall, ii. 73—74, from Cotton Library, Caligula, c. i. folio 88.

PART OF A NOTE OF WHAT MURRAY AND HIS COUNSELLORS DELIVERED TO MR. MIDDLEMORE, TO BE REPORTED TO ELIZABETH, JUNE 22d, 1568.

“ And for our offer, to mak her
“ Majestie declaratioun of our haill doingis, anent

“ *ni deguiser ni pallier.*” In iv. 126 she remarks: “ *Robertson*
“ *n’a pas craint (pag. 82) de dementir a cet egard les meilleurs*
“ *auteurs, et de citer, à l’appui de sa fausse assertion, la confession*
“ *rapportée par les ministres,*” Morton’s dying confession; “ *il*
“ *dit que Morton chargea la Reine (on a vu le contraire, et on*
“ *peut le voir encore dans la pièce originale)*—: Hume est du
“ *même avis que Robertson: cela étoit nécessaire au projet uni-*
“ *forme de ces deux auteurs.*” In iv. 181 she says, that “ *Ro-*
“ *bertson—ne faut pas s’en rapporter a lui dans les details de*
“ *cette affaire,*” a speech of Gowry’s in his famous seizure of
the King; “ *attaché au parti d’Elisabeth, il noircit ou justifie*
“ *ceux qui agissoient en Ecosse, suit toujours l’interêt qui l’anime en*
“ *faveur de cette princesse, jette des nuages sur la reputation de*
“ *Lenox,*” the new Earl of Lenox, “ *exagère les torts du Comte*
“ *d’Arran, et excuse la conduite des conspirateurs.*” And, to
adduce only one instance more, the partisans of Elizabeth, as
this author very justly observes in iv. 347, “ *ont traité avec*
“ *une espece d’emportement, tous ceux qui ont voulu porter*
“ *une nouvelle lumiere sur les faits historiques; tels ont été*
“ *Hume, Robertson, Buchanan, et tant d’autres moins éclairés et*
“ *moins superieurs; mais les hommes justes, dont le jugement*
“ *ne repose que sur la verité, cherchent à la connoître, à l’ap-*
“ *profondir, et ne mettent jamais à la place d’une estime re-*
“ *flechie, le feu d’une admiration exaltée.*” Such is the opi-
nion of examining criticks on the continent, concerning Dr.
Robertson! His countrymen are not the only persons, who
find themselves compelled by the force of truth, to speak harshly
of him. And even a lady of France, “ *aimable*” and “ *en*
“ *des premieres années de sa jeunesse*” (see the “ *Approbation*”
at the end of volume vth), lays as heavy a hand upon the Doc-
tor; as any sour and cynical gentleman of Britain.

“ that quhairwith the Quene, our Soverane Lordis
“ mother, chargis us, and utheris jointit with us;
“ we have alreddie sent unto our servand Mr.
“ Jhone Wode, that quhilk we traist fall suffi-
“ cientlie resolve hir Majestie of ony thing scho
“ standis doubtful unto: and zit gif hir Hienes
“ will that we send other for mair special informa-
“ tioun of the cais, we fall glaidlie follow hir ple-
“ sure, with als grite haist as possible we can.

“ Bot because we persave the trial, quhilk the
“ Quenis Majestie is myndit to have taken, is to
“ be usit with grit ceremonye and solemniteis, we
“ wald be maist laith to enter in accusatioun of the
“ Quene, moder of the King our Soverane, and
“ syne to enter in qualificatioun with hir; for all
“ men may judge how dangerous and prejudicial
“ that suld be. Alwayis, in cais the Quenis Ma-
“ jestie will have the accusatioun directlie to pro-
“ ceid, it wer maist reffonabill we understude quhat
“ we suld luke to follow thairupon, in cais we
“ preive all that we allege; utherwayis we sal be
“ als incertane efter the caus concludit, as we ar
“ presentlie. And thairfor we pray zow requyre
“ her Hienes, in this point to resolve us; at leist
“ that my lordis of the counsal will assure us, quhat
“ we fall lippin unto [depend upon].

“ Farther, it may be, that sic letteris as we haif
“ of the Quene, our Soverane Lordis moder,
“ that sufficientlie, in our opinioun, preivis hir
“ consenting to the murthure of the King hir
“ lauchful husband, fall be callit in doubt be the
“ juges to be constitute for examinatioun and trial
“ of

“ of the caus, quhether they may stand or fall, pruiſ
 “ or not. Thairfoir ſen our ſervand Mr. Jhone
 “ Wode hes the copies of the ſamin letteris tranſ-
 “ latit in our language, we wald ernestlie deſyre,
 “ that the ſaidis copies may be conſiderit be the
 “ juges that ſall haif the examinatioun and com-
 “ miſſioun of the matter ; that thay may reſolve us
 “ this far, in cais the principal agrie with the copie,
 “ that then we pruiſ the caus indeed : for quhen we
 “ haif manifeſtit and ſchawin all, and zit ſall haif
 “ na aſſurance that it we ſend ſall ſatiſfie for pro-
 “ batioun, for quhat purpois ſall we ather accuſe,
 “ or tak care how to pruiſ, quhen we ar not aſſurit
 “ quhat to pruiſ, or, quhen we have preivit, quhat
 “ ſall ſucceid * ?”

 N° IV.

AN ACT OF PRIVY COUNCIL, CONCERNING MUR-
 RAY'S RECEIT OF THE BOX AND LETTERS, &c.

“ Apud Edinburg, 16 Sept. Anno Dom. 1568.

“ THE quhilk day, the nobill and potent Prince
 “ James Erll of Murray, Lord Abirnethie, Regent
 “ to our Soverane Lord, his realme and liegis,
 “ grantit and confeſſit him to have reſſavit fra
 “ James Erll of Mortoun Lord of Dalkeyth, Chan-
 “ celar of Scotland, ane ſilver box ower gilt with
 “ gold, with all miſſive letteris, contraictis or obli-
 “ gatiounis for marriage, ſonets or luiſ-ballettis,

* Goodall, ii. 75—76, from the paper-office, London.

“ and utheris lettres contenit yairin, fend and past
 “ betwix ye Quene, our Soverane Lordis moder,
 “ and James sumtyme Erll Bothvile ; quhilk box,
 “ and haill pecis within the samyn, wer takin and
 “ fund with umquhile George Dalglesche, fervand
 “ to ye said Erll Bothvile, upoun the xx day of
 “ Junii, ye zeir of God 1567 zeirs. And yairfoir
 “ the said Lord Regent for himself, and takand
 “ the burding upon him for ye remanent nobillmen,
 “ and utheris professing ye quarrel, and obedience
 “ of oure said Soverane Lord ; exoneris, quit-
 “ claimis, and dischargeis ye said Erll of Mortoun
 “ of the said box, and of all ye saidis missive wri-
 “ tingis, contractis, obligationis, sonetis, luif-bal-
 “ lettis, and utheris lettres quhatfumevir fund and
 “ contenit yairin ye tyme of his recept and intro-
 “ missioun yairwith ; testifieing and declaring, yat
 “ he hes trewlie and honestlie observit and kepit
 “ the said box, and haill writtis and pecis forsaid
 “ within ye same, without ony alteratioun, aug-
 “ mentatioun, or diminutioun yairof in ony part or
 “ portioun. And also ye said Lord Regent, upoun
 “ his honour, faythfullie promittis, that the said
 “ haill lettres and writingis fall be alwayis readie
 “ and furthcumand to ye said Erll of Mortoun,
 “ and remanent nobillmen yat enterit in the quer-
 “ rell of revengeing of ye King our Soverane
 “ Lordis faderis murthor ; quhenfoevir yai sal haif
 “ to do yairwith, for manifesting of the ground
 “ and equitie of yair proceedingis, to all quhome it
 “ effeiris [concerns] *.”

* Anderson, ii. 257, and Goodall, ii. 90, from the records of privy council.

AN ACT OF PRIVY COUNCIL, CONCERNING MORTON'S RECEIT OF THE BOX, AND LETTERS, &c.

“ Apud Edinb. xxii. Januarii, 1570-1.

“ THE quhilk day, in presence of the richt honorabil Matthew Erle of Levinox, Lord Darnlie,
“ guidschir [grandfire], lauchful tutor and regent,
“ to our Soverane Lord, his realme and lieges,
“ and Lordis of Secreit Counsal; James Erle of
“ Mortoun, Lord of Dalkeyth, Chancellor and
“ Greit Admiral of Scotland, being in reddiness to
“ pass to the Quenis Majesty of Ingland, as ane of
“ our Soverane Lordis Commissionaris, for divers
“ grypt and wechtie materis, concerning his Hienes
“ and his estait; grantit and confessit him to have
“ reffavit fra the said Lord Regent an silver box,
“ overgilt with gold, with the missive letteris, contractis or obligatiounis for marriage, sonettis or
“ luif-ballettis, and utheris letteris thairin contenit,
“ to the number of xxi, send and past betwix
“ the Quene, our said Soverane Lordis moder,
“ and James sumtime Erle Bothville: quhilk box,
“ and haill pecis within the famin, wer takin and
“ fund with umquhile George Dalglesche, servant to the said Erle Bothville, upon the xx day
“ of Junii, the zeir of God M. D. thré scoir seven
“ zeiris, and were deliverit be the said James Erle
“ of Mortoun to umquhile James Erle of Murray,
“ Lord Abirnethie, uncle and regent to our Soverane Lord for the time; efter quhais deceis,
“ the famin box and letteris wer recoverit out of
“ the

“ the handis of his fervandis, be the said Erle of
 “ Levinox, now regent. Quhilkis letteris, being
 “ autentiklie copeit, and subscrivit with the handis
 “ of his Grace and Lordis of Secreit Counsale, the
 “ famin copeis wer left to remane with his Grace ad
 “ futuram rei memoriam. And also the said Erle of
 “ Mortoun promiseit and obleist him, to bring agane
 “ and deliver the said box, and principal letteris, to
 “ the said Lord Regent, at his returning from his
 “ present legatioun *.”

N° V.

A LETTER TO QUEEN ELIZABETH FROM HER COM-
 MISSIONERS AT YORK, THE XI. OF OCTOBER,
 1568.

“ PLEASITHE zour most excellent Majestie
 “ to understand, that sithens our last despeches the
 “ Erle of Murray and his colleagues, to occupie the
 “ time, have put in their answeare to the complaynts
 “ exhibited by their adverse partie.—And albeit
 “ they have in the same,” &c. “ yet the said Erle
 “ hath been content privatlie to shew us such mat-
 “ teir as they have, to condempne the Quene of
 “ Scottes of the murder of her husband; to the
 “ intent they wold know of us, how your Majestie,

* Goodall, ii. 91, from the acts of Lenox's privy council, in
 the Earl of Haddington's Collections.

“ understanding

“ understanding the same, wolde judge of the
“ sufficiencie of the matter; and whether, in your
“ Majestie’s opinion, the same will extend to
“ condempne the Quene of Scottes of the said
“ murder.

“ And so they sent unto us the Lord of Le-
“ thingtoun, James Makgill, and Mr. George
“ Boqwannan, and another being a lord of the
“ session; which in private and secret conference
“ with us, not as commissioners as they protested,
“ but for our better instruction, after declaration
“ of such circumstances as led and induced to ve-
“ hement presumptions to judge her guiltie of the
“ said murder, shewed unto us a copie of a bond,
“ bearing date the 19th of Aprill 1567, to the
“ which the most part of the lords and counsaillors
“ of Scotland have put to their hands, and, as they
“ saye, more for feare, than any lyking they had of
“ the same. Which band conteyned two special
“ points; the one, a declaration of Bothwell’s pur-
“ gation of the murder of the Lord Darley, and
“ the other a generall consent to his marriage with
“ the Quene, so fare forthe as the lawe and her owne
“ likinge shoulde allowe. And yet, in proufe that
“ they did it not willinglie, they procured a war-
“ rant, which was now shewed unto us, bearing
“ date the 19th of Aprill, signed with the Quene’s
“ hand, whereby she gave them licence to agree
“ to the same; affirming that, before they had such
“ warrant, there was none of them that did or
“ wolde set to their hands, saving onlie the Earl of
“ Huntley.

“ There

“ There was also in the copie of the bande a
“ copie of a warrant followinge, much to that ef-
“ fect, savinge that the one did licence to doe, and
“ the other seemed to discharge and pardone that
“ was done, which bears date the 14th of Maye.
“ It appeared also, that the selfe same daye of the
“ date of this band, being the 19th of Aprill, the
“ Erll of Huntley was restored by parliament, which
“ parliament was the occasion that so many lords
“ were there assembled: which, being all invited
“ to a supper by Bothwell, were induced after sup-
“ per, more for fear than otherwayes, to subscribe
“ to the said band; two hundred harkebusiers be-
“ ing in the courte and about the chamber-doore,
“ wheare they supped, which weare all at Both-
“ well's devotione; where [which] the said lords
“ so much misliked, that the next morning, by
“ four of the clocke, few or none of them weare
“ left in the towne, but departed without taking
“ their leave.

“ Thear was also a contract shewed unto us,
“ signed with the Quene's hand, and also with
“ Bothwell's, bearing date the fifth of Aprill; writ-
“ ten, as it is said, with the Earl of Huntley's own
“ hand, who, with one Thomas Hebourne, weare
“ the only witnesses to the same. Which contract
“ beareth date before Bothwell's purgation of the
“ murder, whereof he was not tried nor purged
“ before the 12th of Aprill followinge, and also
“ before the proceffe of divorce began between
“ Bothwell and his wife, which was not begunne
“ before

“ before the first of May, and yet with speede
“ ended within eight dayes—(1).

“ There was also a contract shewed unto us of
“ the Quene’s own hand, of the marriage to be had
“ between her and Bothwell, bearing no date, which
“ had not *verba de præsenti*, as the other had, bear-
“ ing date the 5th of Aprill. It appeared also
“ unto us by two letters of her own hand, that it
“ was by her own practice and consent, that Both-
“ aill should take her and carry her to Dunbar—.

(1) Dr. Robertson says, that “ Bothwell, having
“ now got the Queen’s person into his hands,—
“ instantly commenced a suit,—in order to obtain
“ a sentence of divorce from his wife. *This pro-*
“ *cess* was carried on, at the same time, before pro-
“ testant and popish judges.—The pretexts which
“ *he* pleaded were trivial or scandalous. But *his*
“ authority had greater weight, than the justice of
“ *his* cause; and in both courts a sentence of di-
“ vorce was pronounced, with the same indecent
“ and suspicious precipitancy *.” But this account
is full of the Doctor’s usual mistakes, mistakes
wholly upon one side.

The suit is all given to Bothwell. His wife’s
suit is totally suppressed. The prosecution is ac-
knowledged to have been a double one; but then
both the parts of it are expressly attributed to
Bothwell. And this is done, I fear, with a design

* i. 419.

to deceive *himself*. A suit of divorce, prosecuted by Lady Bothwell, by the very mention of it would have precluded all the Doctor's slanders at once. *She* could not be in a conspiracy with Bothwell and the Queen, *against herself*. And the stubborn contradictoriness of half, would have effectually destroyed the whole *.

Lady Bothwell's suit, then, *would* not be commenced in consequence of the seizure. In fact it was not. It was determined upon, according to the rebel journal itself, so early as April the fifth. That day, Lady Bothwell even signed a *procuratory* for the purpose †; what is now denominated a *proxy*; what our own canons, antient and modern, require, as the authoritative instrument to a proctor for commencing a suit; and what our own court of Doctors Commons invariably demands, at present. This was, therefore, the actual commencement of the suit with *her*, nineteen days before the seizure. She *then* authorized her proctor to pursue it in form. And, as the fact was well known to

* Accordingly Dr. Robertson, in his last edition, has altered the passage thus. “Bothwell, having now got the Queen's person into his hands,—commenced a suit in *his own* name “in the spiritual court—; *at the same time* he prevailed with “Lady Jane to apply to the protestant court” (i. 433—434). He thus comes a little nearer to the truth, in his matter. He allows of two suits, one by Bothwell, and another by his lady. But he is as distant as ever in his manner. He still makes both to be Bothwell's in effect, and both in consequence of the seizure. And he makes Lady Bothwell still, to be in a conspiracy with her husband and the Queen, *against herself*.

† Appendix, N° x.

the

the Queen and all her nobles, so no doubt was made of Lady Bothwell's success by either. The divorce was considered by both, as having *in effect taken place already*. This indeed was an indelicacy in the Queen, that grates upon the feelings of a more refined age. But then it was not peculiar to her. It was the common indelicacy of the times. And the Queen only thought, as all the nation thought at the moment, and as the highest and most polished part of it formally showed they thought. The nobles, whether protestant or popish, whether attached to the Queen or combined against her, subscribed a formal paper so early as the nineteenth of April afterwards, ACTUALLY RECOMMENDING BOTHWELL AS A HUSBAND TO THE QUEEN. This is the strongest of all possible proofs, concerning their KNOWLEDGE of the suit begun by Lady Bothwell, and concerning their CERTAINTY of her being speedily divorced from the Earl. Their knowledge and their certainty are even *expressed*, in the bond itself; as they recommend "the
 " marriage to be solemnizat and compleitit betwix
 " her Hienes and the said noble lord,—at sic tyme
 " as it fall pleise her Majestie to think it convenient, and HOW SONE THE LAWES SALL LEAVE IT
 " TO BE DONE *." And Mary, in the SAME strain of knowledge, and in the SAME spirit of certainty, OBJECTED NOT HIS PRESENT MARRIAGE TO HIM;

* Anderson, i. 110. So also the commissioners at York describe the bond; as containing "a generall consent to his
 " marriage with the Quene, so fare forthe as the lawe—shoulde
 " allowe" (N° v. before).

on his *insinuating* his regard for her upon April the *twentieth*, on his *avowing* it at Dunbar *afterwards*, or on his *showing* her their recommendation there. Of such notoriety, was the subscription of the proxy by Lady Bothwell! With such an assurance of a divorce, did all the principal part of the nation anticipate the consequence *!

They anticipated, not merely the divorce of Bothwell, but also his consequent marriage with another. This they recommended to be solemnized betwixt the Queen and him, “how sone THE
“LAWES shall leave it to be done.” Either of the parties in a divorce, was then allowed by the laws of Scotland to marry again. The general assembly, indeed, had lately prohibited the *offending* party from re-marrying †. But its prohibition was not minded. The antient law rode triumphant over the new canon. It did so, even with the kirkmen themselves; and even with that committee (as it were) of the general assembly, which resided in Edinburgh at this period. When Craig, the minister of St. Giles’s, declined to publish the banns for the marriage of Mary to Bothwell, because he “durst proclame no bandis, and chieflie
“sick [such], without consent and command of
“the kirk;” the kirk directed him to publish the

* See a great mistake, therefore, in Sir D. Dalrymple’s (now Lord Hailes’s) Remarks, 201—202; who attributes this *negative* conduct of the Queen, to her *knowledge of the canon law* forsooth! and entirely overlooks what is so much more striking, the *positive* conduct of the nobles. Yet it is all copied by Dr. Robertson, in his late edition, i. 433—434.

† Anderson, ii. 279 and 283.

banns, though they were even those of the *convicted adulterer* himself. “The kirk, eftir lang reafson-
 “ing with the justice clark, and amangis the brey-
 “therene, at length concludit, That the Queenis
 “mynd *suld* be publiſhit *.” This extraordinary
 fact, unites with the evident opinions and expreſs
 declarations of all the principal perſons in the na-
 tion, to ſhow us the regular law of the land at this
 period. With theſe testimonies do the rebels ex-
 preſſly concur themſelves, in their very forgeries;
 when in Lett. vi. Sect. 2. the Queen is made to
 ſpeak of Bothwell, as ſoon to be “fré to mary;”
 and when in the *French* contract ſhe declares her-
 ſelf free and ready to marry him, as ſoon as he is
 equally free, “lui eſtant en meſme liberté.” And
 all is confirmed beyond a poſſibility of doubt, by
 Mary herſelf; when, in her inſtructions for the
 embaffadour whom ſhe ſent into France on her
 marriage, ſhe directs him to tell her relations con-
 cerning Bothwell, That, “albeit he was befoir ma-
 “reit, zit the mariage with him, the former con-
 “tract and band, wes be ye ordoure of law—diſ-
 “ſolvit,—ſwa yat we on the ane part, and he on
 “ye uther fyde, being bayth fré, ye mariage mycht
 “lauchfullie and weill aneuch be acumpliſſit be
 “ye lawis of yis realme †.”

Nor

* Anderſon, ii. 279.

† Anderſon, i. 100—101. Her aſſertion is alſo corroborated
 by her ſlanderer, Knox. “The ground of the divorce was,
 “The parties, being within the degrees prohibited, could not
 “be lawfully joined: nixt, becauſe Bothwell was an adulterer,
 “the marriage was void. The bill of divorce was granted

Nor was the law of England different at the time. "A divorce for adultery," says Salkeld, "was *anciently* a vinculo matrimonii: and therefore, in the *beginning* of the reign of Queen Elizabeth, the opinion of the church of England was, that, after a divorce for adultery, *the parties might marry again*. But in Foliambe's case, H. 44. El. [1601] in the star-chamber, *that opinion was changed*; and Archbishop Bancroft [Whitgift], by the advice of divines, held that adultery was only a cause of divorce a mensâ et thoro." Or, as this case is reported more fully by another lawyer, "Foliambe,—having been divorced from his wife for incontinency on her part, married again during her life; and the second marriage was declared to be void, *because it was only a divorce a thoro et mensâ, and because* Archbishop Whitgift," who became archbishop in 1583 and continued till 1604, "affirmed that several grave divines and civilians, whom he had assembled at Lambeth to consider that point, did all agree that such marriage was void*."

The

"by the papisticall court of the Archbishop of Sanct Androis," and also, as he would have added if he had not been a knave, by the protestant court of commissaries. "And here mark how they juggle in sacred things," when the protestants had been doing the very same with the papists: "for quhen it pleiseth them, they *untie the bond of marriage*, as now, and as we have seen in the first buik of this history" (p. 405).

* Burn, ii. 448. edit. 4th, and Gibson (2d edit.) 446 from Mo. 683. Gibson however refers in 447 to some Saxon canons, which seem to prove the *present* doctrine of divorces, to have then

The law of England, then, coincided exactly with the law of Scotland at this moment. Both considered a divorce for adultery, to be a dissolution of the marriage. Both permitted either of the parties to marry again. And Mary says accordingly in her instructions concerning her marriage with Bothwell, to her embassadour sent into *England*; that a divorce had regularly taken place
 “ befoir oure marriage with him, and swa we mycht
 “ lauchfullie consumat ye samyn; FOR ITS NA NEW
 “ THING, NEITHER IN SCOTLAND NOR ENG-
 “ LAND *.”

then prevailed in our church. But, on examination, these appear to mean only *private* and *extra-judicial* divorces. See also Theodore's Canons, A. D. 673, N^o x. and Ecgbright's Excerptions, A. D. 740, N^o 119—124, in Johnson's Collection of Canons. “ Yet,” as Johnson remarks, “ by Theodore's Penitential published by Petit, the *innocent* party is permitted to marry again—; nay, if the husband *forfeits his liberty for any crime*, the wife, being a free woman, is *allowed to take another man*.” One canon of the Penitential runs thus: “ si cujus uxor fornicata fuerit, licet *dimittere eam, et accipere aliam*;—*illa veró, si voluerit pœnitere peccata sua, post duos annos alium accipiat virum*—: si mulier *discesserit a viro, nolens reverti et reconciliari viro, post quinque annos, cum consensu Episcopi, aliam liceat uxorem ducere*.” All shows only *private* and *extra-judicial* divorces, to be meant in all these canons. And, as Johnson adds, “ our Reformers allowed a dissolution of marriage, for *desertion, long absence, mortal hatred, &c.*; and, in all these cases, permitted a *second marriage*. See Reformatio Legum Eccl. de Adulterio et Divorc. c. 8, 9, 10.” Gibson's reference also in 447, to “ 5 Edw. VI. 10,” for an act of parliament concerning a divorce, must be some mistake of the pen or press.

* Anderson, i. 107.

Nor was this wrong in itself. Prejudice indeed may deny the position. But let the great oracles of our religion speak to it. "Whoever shall put away his wife, EXCEPT IT BE FOR FORNICATION, and shall marry another, committeth adultery; and whoso marrieth her which is put away, doth commit adultery." This is clear and peremptory. Parties divorced for adultery, by the original institutes of Christianity, *may* marry again. Nor does the contrary ever seem to have been assumed as a truth, in this island; till the prudery of Puritanism broke in upon the common-sense of Christendom, and drew in the Scotch first, and the English afterwards, to mold their laws in contradiction to the latter. And yet both of us have been long obliged, to come back in part to the antient doctrine of our religion, and to the antient principle of our polity; in the awkward expedient, of making a special law for every case, of enabling one of the parties by name to marry, and of dispensing with the very laws which we suffer to remain. We so far rise superiour to our new prejudices, as to see the necessity of violating our laws, in favour of the innocent at least; and yet we so far sink under them, as to let the laws remain in their full operation against all those, the great multitude of the nation, who are not able to bear the heavy expence, of purchasing this papal kind of dispensation from the parliament.

In this state of the law of Scotland, the proctor for Lady Bothwell began the suit. A citation was issued by the commissaries of Edinborough, Robert Maitland,

Maitland, dean of Aberdeen, Edward Henryson, doctor of laws, Clement Little, advocate, and Alexander Syme, advocate, on the 26th; for the appearance of Bothwell *. The application of the proctor for the citation, must have been prior by one or two days at least. The order for the application, must have been many days prior. Both probably, and the latter certainly, must have been made and given before the seizure on the 24th. And the latter, as we have seen before, was actually given so very early as the 5th. But, in consequence of the citation, the first meeting was upon the 29th, the next on the 30th, and the next upon the 1st of May †. Both the last days were taken up in hearing witnesses. Her plea for the divorce, was *her husband's adultery with one of her maids*, "Bessie Crawford." Yet this was neither "trivial" in itself, nor "scandalous" to her. And sentence was pronounced for her, on the 3d of May ‡.

But Bothwell also sued for a divorce. His lady's suit, though she herself was a papist, was upon good grounds and before good protestants. Yet he, though a protestant himself, applied to the ecclesiastical court of popery for a divorce. He was not doubtful of the issue of the other. Lady Bothwell was certain of a favourable sentence, if she proved (as in the universal opinion she was sure to

* Appendix, N^o x. † Robertson, ii. 449. ‡ Ibid. 450. The clause of "trivial" and "scandalous," therefore, is omitted in the late edition.

prove) her alledged fact. But he had *now* a reason for wishing a divorce himself. He had *now* a view of marrying the Queen. This therefore had been suggested to him, only just before the grand measure of the bond; just before the bond was privately subscribed by Murray; and, consequently, just before Murray left Scotland on the 9th of April *. He caught at the suggestion, probably, with eagerness. The bond was signed by Murray, and embraced by Bothwell, in the parting evening probably before the 9th. But a divorce pronounced by the protestant commissaries, he knew, would not be considered by Mary, as equally valid with one from the regular and ecclesiastical judges. That at least, as founded on *adultery* in Bothwell, however legal, would not appear so honourable in her eyes as *this*. And we see the observation strikingly exemplified, in Mary's manner of speaking concerning the divorce afterwards; when, in her instructions to her embassadours for England and France respectively, she says the divorce of Bothwell was made "for *resolute causis of*
 " *consanguinitie and utheris,*" or, more fully, "we
 " be ye ordoure of law expressit *in the canons—*
 " for *lauchfull causis of consanguinitie, and utheris*
 " relevant, dissolvit †." Bothwell accordingly applied to the spiritual court. He urged the *consanguinity* of himself and his lady, being fourth cousins once removed, and never dispensed with. This was peculiarly calculated for a popish court;

* Appendix, Nº x.

† Anderson, i. 107, and 110—111.

as the other was for a protestant one. “Apud
“judicus regios,” says Buchanan, “accusat uxor
“maritum adulterii, quæ *una* justa apud eos erat
“divortii causa *.” And the parties *therefore* ap-
plied themselves, in this seemingly cross manner,
to the protestant and the popish courts respec-
tively.

Nor was Bothwell’s suit, any more than his
lady’s, commenced in consequence of the seizure.
It was not commenced, even with a view to that
incident. The marriage was projected, when the
seizure was not yet meditated ; and when the soul
of a Bothwell, probably, would have shuddered at
the meditation. But the commission for the cause
was signed the 27th of April, and the citation
issued on the 3d of May †. Yet the *order* for the
commission must have been prior to the signing,
by one or more days ; by as many perhaps, as the
signing of the commission was prior to the issuing
of the citation. The application for the order,
also, must have been prior to the order itself ; and
the proxy must have been antecedent to all, and
therefore antierior by several days to the seizure
on the 24th. The plan of the seizure, and the
scheme of the rape, were both fabricated together
in the brain of Bothwell, as we have seen, under
that dark cloud of desperation, which had been
spread over him by Mary’s rejection of him, on
Sunday the 20th of April. But the plan of the
divorce must have been prior to both, coæval with

* Hist. xviii. 356.

† Robertson, ii. 450.

the first project for marrying Mary, and formed as early as the 7th or 8th of April.

The plea which he put in, though “trivial” enough to us protestants, was not so in the eyes of papists; and was certainly not “scandalous,” in the opinion of either. The degrees of consanguinity had been judicially ascertained before, on February 21st, 1565-6, and in the very same court; with a view to the procurement of a dispensation *. But the parties had been married immediately, and without one †. The consanguinity, therefore, needed no proof at present. The marriage without a dispensation, wanted alone to be proved. This was soon done. One day finished the examinations, of the bishop who married them, and of the persons who were present at the marriage. And the judge pronounced, as he was obliged to pronounce, in favour of the divorce ‡.

* Tytler, edit. 3d. Appendix, 25—26. Yet Buchanan in his Detection (Anderson, ii. 34, and Jebb, i. 244), with all a bold knave’s bravery of fraudulence, says, that “Bothwellis wyfe was compellit in *twa* courtis to sue *ane* divorce aganis hir husband;” that “befoir judges delegate appointit be the Quenis authoritie to have jurisdiction in sic causis, the wyfe accusis the husband of adulterie, quhilk with thame was ane just caus of divorce;” and that “befoir papische judges,—Bothwell was accusit,” *not* that by the popish laws he was too near of kin to his wife, and had not been dispensed with, as it should be, *but* “that, *befoir* his mariage with his wyfe, he had committit fornicatioun with his wyfe’s *neir kinniswoman*.” There is also the same audacity of imposition, in his History, xviii. 356.

† Tytler, *ibid.* and Robertson, ii. 450 and 451.

‡ Robertson, *ibid.*

The

The co-existence then of these two suits, which has so long been urged as an evidence of collusion between Bothwell and his wife, is a decisive argument to the contrary. Had *he* been the instigator to *her* suit, and the instigator with a view to Mary; we see directly from his own suit, that *she* would have acted in a very different manner. She would not have thrown impediments in the way of their common views, by branding him un-necessarily with the crime of adultery, and by grounding the divorce upon adultery in him. No! She would have applied at once, as he did afterwards, and as *she*, a papist, might with more propriety have done, to the spiritual court; and have procured a divorce for consanguinity. This is demonstrably plain from the consecution and the quality of *his* suit, contrasted with *hers*. But *she* having already commenced one suit before the commissaries; and he himself having now a desire to be divorced, in another form, and with a view to Mary; he was obliged to commence a suit himself, and so to be divorced *twice* from the same woman. And he has thus showed us in the most convincing manner, that he and Lady Bothwell were in no collusion at all, that *she* pursued her own primary and natural plan in *her* suit, and that *he* pursued his own new and posteriour plan in *his*. Indeed *his* appears to have been suggested to him by the original recommenders of it, *in consequence of hers*; and suggested on the 7th or 8th of April, in consequence of her openly beginning *hers*,

bers, by openly signing the proxy on the 5th before.

There was no collusion, therefore, in the two principals. Where was also the *injustice* in the two courts? I can see none. The fact of consanguinity, we are sure, and the commission of adultery, we have full reason to believe, were clearly proved. This being the case, there could be no *injustice*. But, adds Dr. Robertson, there was “an indecent
“and suspicious precipitancy.” To be sure, there was not what we now so fully expect in all suits, the tediousness of law superadded to the uncertainty of it. Yet there seems, notwithstanding, to have been some precipitancy. This was no amicable suit, which *he* did not oppose in her court, and *she* did not resist in his. He *did* oppose hers, and *she* did resist his. Before the commissaries, “for the said Erle compeared Mr. Edmond Hay,
“who, efter he had *pursued and craved the pursuer’s procurator’s oath* de calumniâ, if he had
“just caus to pursew the said action, and *obtained*
“it, *denyed the libell*: and the said Mr. Harrie,” Lady Bothwell’s proctor, “took the morne—
“to prove the same pro prima.” Before the spiritual court too, “compeared the same procurators
“for both the parties, that were in the former
“proces—; and the procurator for the lady *instanter* objecit objectiones juris generaliter contra
“productæ [producta] *.” Each therefore resisted and opposed the other’s suit. This again

* Robertson, ii. 450 and 451.

shows,

shows, that there was no collusion between them. But this would take up the more time. It consequently makes the precipitancy to seem more apparent. Nor can we, in opposition to this evidence, alledge our total want of information, how long such suits lasted in such courts at the time. Nor can we attribute our suspicions of the precipitancy, to borrowed principles and to modern ideas. The precipitancy is too plain. And we have only to enquire, *to whom* it should naturally be imputed; whether, as Dr. Robertson insinuates, to the Queen, then kept a “captive, environed
“with a continual guard of 200 harquebuziers,
“as well day as night, wherever she went;” or, as common-sense suggests, to those who so kept and so environed her.

The rebels indeed accused the courts at this time, as Dr. Robertson does now, of this unusual hurry. Yet their accusation, however true in the substance, is repelled at once by its contradictoriness to itself, and its opposition to history, in the circumstances. In the text here, “the proceſſe of
“divorce” is said to have “not begunne before the
“*first of May* ;” when, from the rebel journal itself, the citation appears to have been issued upon the 26th of April, and the proxy to have been signed on the 5th preceding. In the text also, the process, which is said to have not begun before the first of May, is equally said to have “yet with
“speed ended within *eight* days :” when the process before the commissaries of Edinborough, con-
5
tinued

tinued *at least* from some day or days previous to April the 26th, the date of the citation, up to May the 3d, the day of the sentence, inclusively; and when that before the ecclesiastical court, from some days prior to April the 27th, the day of the second citation, up to May the 7th, the date of the second sentence, inclusively; *at least* nine and thirteen days, respectively. But the rebels were much more daring in their assertions concerning both, at first. In a memorial, which Craig, the bold minister of Edinburgh, gave in to the general assembly on December the 30th 1567; he affirms “the suddane divorcement, and proclaim-
“ing of banns,” to have been done within the
“space of *four* days *.” Even in a proclamation, which the rebels presumed to issue on the 12th of June before, and at the very outset of their rebellion; they were hardy enough to maintain, that
“al the proces and sentences theirot begun, endit,
“and sentence given thairintill within twa daies †.” This last is the very authority, to which Dr. Robertson refers us; when he declares the sentence to have been pronounced, “with the same inde-
“cent and suspicious precipitancy” in both the courts. He chose to overlook the eight days of Murray’s colleagues, in the text here. He even chose to overlook, the four days of his favourite Craig. He carefully pitched upon the *minimum*

* Anderson, ii. 280. Knox, 406, most falsely makes him say, “within *ten* days.

† Anderson, i. 132.

quod of the rebels *. Nor would he observe the striking contrariety of all to each other, and the additional contradiction of all to Buchanan, who says the suit was ended within *ten* days; “*intra* “*decimum diem, lis suscepta, disceptata, et dijudicata est* †.” We have thus *ten*, and *eight*, and *four*, and *two* days, assigned by the very rebels themselves at different periods, for the very period and continuance of these suits. And, amidst assertions that clash so loudly on our ears, let us listen to the voice of truth, in the Memoirs of Crawford. There we find, that in both the courts “the business was *soon* decided; for in ten days time MORTON, MURRAY” (by his letters left behind him), “and THE REST OF THAT FACTION, having SECRETLY USED THEIR INTEREST TO HAVE IT DISPATCHED, sentence was pronounced in both courts ‡.” We thus see the precipitancy of the sentence ascertained by the testimony of history; and authority concurring with common-sense, to show it all occasioned by the rebels themselves. We have also a curious specimen of *slandorous address* in the rebels, in attributing their own and Bothwell’s criminality, to Bothwell and the Queen;

* In the late edition of his work, he advances backward into *four*; says expressly, that each suit lasted “four days” (i. 43), as Mr. Hume had said before (v. 116); and yet refers us to his old authority still, “Anderson, i. 132,” which actually specifies *two*, and to a new authority of his own, Appendix, N^o xx. (p. 449—450 of the old editions), which in real sittings, the only days noticed, actually reckons up *three*. So perplexed is the Doctor here!

† Hist. xviii. 356.

‡ Memoirs, 21.

and

and in laying on the head of the innocent Mary, the load of their own infamy. And we view the rebels treating the two courts, as we believe the devils will treat all sinners; charging them violently with the very guilt, into which they themselves had seduced them; and, what perhaps the devils will equally do, seemingly invalidating the justness of their own accusations, by their own facility of falsification, and by their own contradictoriness of imputation, in accusing them.

But, though the courts had been drawn into this rebel precipitancy of conduct, in pronouncing sentence; yet the sentence itself was strictly right. Murray indeed pretended to charge one of the courts, the spiritual, with some criminality in its sentence. It was a popish court. It would readily be believed, therefore, to be corrupt. He charged the judge in it, with being *forced* to give sentence as he did. And he actually produced what he calls, “an instrument of compulsion;” some letter, I suppose, written by we know not whom, and threatening we know not what; but “proving” the said judge to have been constrained, to leid “the said process of divorce*.” This suggestion however, like many other suggestions of forgery, attempts to prove too much, and so defeats itself. The idea of force upon an assembly held at St. Giles’s church in Edinburgh †, and that force exerted by a written instrument, is too ridiculous for belief. Even Dr. Robinson rejects it. He speaks indeed

* Goodall, ii. 87.

† Robertson, ii. 450.

of Bothwell's "*authority* having greater weight, "than the justice of his cause;" but he thus substitutes influence for force*. He afterwards rejects both the force and the influence together, upon "the justice of the cause;" as he makes the "precipitancy" alone to be "suspicious." And he extends the "precipitancy" and the "authority," equally to *both* the courts; when Murray confines the "force" to *one* alone. The existence of *influence* from Bothwell, over either of the courts in their sentence, even Murray himself denied; when he had recourse to forgery, in proof of *force* from Bothwell upon one of them. Nor did forgery do more than half its work, when it attempted to prove force only upon one. Both must be proved to be forced, or the cause is desperate. But that the four protestant commissaries of Edinburgh were forced, even Murray did not attempt to prove. Clement Little, one of the four, Alexander Syme, another of them, and Robert Maitland, another, three out of the four, we know to have been attached to the faction †. The register of the kirk-assembly, also, acknowledges even in December 1567; "that the "Quenis Majestie's commissioun" was "given "therintill to sick men, *who for the maist part was* "our brethren ‡." And that charge of compulsion,

* In the late edition, therefore, the words are these; "the "*influence* of Bothwell was of equal weight in both courts," i. 434.

† Melvill, 117, Keith, 586, for Little and Syme; Keith, 524, 528, and 534, for Little again; and 555 for Maitland.

‡ Keith, 567.

which

which Murray brought so formally against *one* of the courts; of which Dr. Robertson, with his *usual* *prudence*, omits all mention, that he may not notice what he cannot believe, and may not lead to the detection of forgery in a friend; but for which he has substituted the influence of Bothwell over *both* the courts; this is all thrown back at present in the very face of the rebels, and turned into a positive authority for the influence of the rebels themselves upon both.

On the whole, then, the only fault of the courts was that precipitancy, into which the influence of the rebels led them. Yet even this influence did not affect the quality of their determinations. They determined rightly and justly. Accordingly, Mary herself assures us, in her several instructions to her embassadours sent to Paris and London; “that, “abbeith he [Bothwell] was befoir mareith, zit the “mariage with him, the former contract and band, “wes be ye ordoure of law expressit in the cano- “nis, reffavit and practeyfit in the realme, for “lauchfull caus of consanguinitie, and utheris re- “levant, dissolvit, and the proces of divorce or- “dourlie led;” or, in other words, “yat be ye “lawis reffavit within oure realme, and oft times “practifit, as is notour eneuch, his [Bothwell’s] “formar marriage wes dissolvit, and the proces of “divorce ordourlie led*.” Nor need we rest the point upon the authority of Mary alone. We may bring in the rebels themselves, to confirm her

* Anderson, i. 100—101, and 106—107.

testimony.

testimony. They pretended indeed to call her marriage with Bothwell unlawful, because it was founded on an unlawful divorce. They asserted this repeatedly and formally, in their proclamations at the beginning of their rebellion. They even confederated together, as they alledged, in order to dissolve this unlawful marriage*. But, when they had served their present purposes by the allegation, they totally neglected it afterwards. They did even more than neglect it. In 1569, when Mary solemnly required them to examine the marriage, and to pronounce it void if it was unlawful, the answer returned was that consummation, even of *their* vulgarity and impudence; requiring her, if she wanted to have the marriage dissolved, to write to the King of Denmark, who then had Bothwell in his hands, and desire him to put her husband to death†. This burst of barbarity shows us very plainly, that they considered the divorce as legal, whatever they pretended to the contrary. And they, and all the nation, appear plainly to have thought the same: as Lady Bothwell esteemed herself from the first, to be legally divorced; as from the first she avowed boldly to the very face of the rebels themselves, that she would always maintain her divorce to be legal; as the rebels themselves, in their very forgeries, acknowledge it to be lawful, by calling her brother Huntly “the brother-in-law that *was*” to the divorced Bothwell; and as the very assembly of the kirk, in the very

* Anderson, i. 131, 136, 139; and Robertson, ii. 371, 375—376.

† Crawford, 128—129.

month of December 1567, and in their very condemnation of the Bishop of Orkney for marrying the Queen and Bothwell, condemn him only “in
“marieing the *divorcit* adulterer*.”

But

* Lett. vii. Sect. i. and Keith, 586.

The rebels in the variety of their falshoods, *once* insinuated Lady Bothwell to remain in Bothwell's house *after* the divorce, in expectation of *his murdering Mary and her son*, and in hope of *mounting the throne of Scotland with him*. “What rested,” they say, for Bothwell “to finish the work begun, and to accomplish the whole desire of his ambitious heart; but to send the son after the father; and as might be suspected, *seeing him keep another wife in store*, to make the Queen also drink of the same cup, to the end he might invest himself with the crown of the realm?—It behoved us assuredly, to have recommended the soul of our Prince—to God's hands, and, as we may firmly believe, the soul also of our Sovereign the Queen; who should not have lived with him half a year to an end, as may be conjectured by the short time they lived together, and *the maintaining of his other wife at home at his house*” (Keith, 418). This is such a falshood, as refutes itself sufficiently by its own wildness of calumnation. It is indeed a part of that great system of imposition, the pretended collusion between Bothwell and his lady concerning the divorce. And any point, asserted or insinuated by such detected falsifiers for their own service, can gain credit only with those, who wish to believe in them, and who would be happy to be deceived by them.

In this, as in most of the falshoods,

——Rebellion had ill luck.

The rebels uttered this falshood on July the 20th 1567 (see Keith, pref. xi.). But, on the 22d of August following, their friend and associate, Throgmorton, unwittingly refuted it. “The Lady Bothwell,” he says, “sister to the Earl of Huntly, passed through this town,” Edinburgh, “within these two days; and is gone to her mother and brother in the North
“parts:

But I wish to add two remarks to what I have said. They result from the facts before. And they tend still farther, to correct this abused portion of the Scottish History.

Dr.

“ parts : she hath PROTESTED to the lady of Murray in this
 “ town, that she WILL NEVER LIVE WITH THE EARL
 “ BOTHWELL, NOR TAKE HIM FOR HER HUSBAND”
 (Keith, 450). She had resided, it seems, from the time of
 the divorce to the 20th of August, for three or four months,
 somewhere to the south of Edinburgh. There she must have
 heard her own divorce from Bothwell, and his marriage with
 the Queen in consequence of the divorce, pronounced by a
 rebel proclamation on June the 12th, “ ane *pretendit* divorce-
 “ ment,—maide and *wrangouslie* led ;” and “ ane *unhoneſt* ma-
 “ riage,—*quhilk from the beginning is null and of nane effect,*
 “ for fundrie causis knawn, als weill to utheris nationis and
 “ realmes, as to the inhabitantis of this common-weall, and
 “ als *expresſs contrair to the lawe of God, and trew religioun pro-*
 “ *fessit within this realme*” (Anderson, i. 131—132). There
 she must have equally heard, that in the publick bond of asso-
 ciation on June the 16th, the rebels equally asserted her late
 husband, “ in order to make his *pretendit* mariage, whilk
 “ shortlie followit, the mair valiabill,” to have “ ufit the
 “ order of divorce, as weill befor the ordinarie commissaries,
 “ as in forme and maner of the Roman kirk ; declairing that
 “ he was of no kind of religion, as the same *unlauchful* ma-
 “ riage, suddenlie thairastir accomplishit on baith the fashonis,
 “ did manifest and testifie, albeit *nouthar of Goddis lawe, nor*
 “ *na lawe made be man, of quhatſomevir religion, nicht the*
 “ *samyne mariage leisumlie haiff ben contractit*” (Anderson, i.
 136). There also she could not but have heard, that the re-
 bels were *professedly* intending to dissolve the marriage, by
annulling the divorce ; and that, on the 20th of July, they had
 publickly insinuated *her*, in an open memorial to the English
 embassadour, to have been acting collusively with her late hus-
 band in the divorce, to have been waiting in his own house for
 his murder of the Queen and the Prince, and to have been

Dr. Robertson and Dr. Stuart agree in asserting, upon the authority of Knox; that, in the winter of 1566-7, Mary restored the antient jurisdiction of the archbishop of St. Andrew's, and so revived the ecclesiastical courts of popery again. Dr. Stuart says, that she thus "*thought to give a blow to the*" powers of the commissaries, who *after the Re-*" *formation* were entrusted *to exercise authority in*" *ecclesiastical concerns.*" And Dr. Robertson says, that she thus "*deprived the commissaries of all*" authority *;" who, he tells us in another place, when "*the spiritual court had been abolished by*" the parliament 1560,—were appointed to hear "*and determine the causes, which formerly came*" under their cognizance †." These assertions are certainly untrue, and equally in circumstance and in substance.

there expecting to ascend the throne with him, on the event. In this situation, it behoved her to exert herself. The last intelligence would particularly stimulate her. It would naturally be some time in reaching her. But it seems to have roused her effectually, when it came. She left the south. She set out for the north. There all her relations lived. But she took care to stop at Edinborough, in the way. There she called upon LADY MURRAY herself, the wife of him, who only six days before came home to take the regency, who had had it offered to him in form a day or two before he came (Melvill, 87), and who actually took it only two days afterward (Appendix, N^o x). And to *her* she could *authoritatively* declare, as she did, That, whatever Murray's party might say or do, she knew the divorce to be lawful, she would always consider it as lawful, and she would always act upon it as lawful.

* Robertson, i. 393, and Stuart, i. 184.
So Keith also in 383.

† i. 392.

The commissaries were not appointed in 1560, as Dr. Robertson avers, or immediately “after the Reformation,” as Dr. Stuart intimates. According to Dr. Stuart himself in another place, they were not appointed before 1564, three years posterior even to the arrival of the Queen. Under that year he remarks, that “the Queen erected courts “in convenient districts, in which officers presided “under the name of commissaries *.” In fact, they were not *ordered* till the 28th of December 1563. They were not *appointed* till the 12th of March 1564; when Mary gave them some instructions, which, says Dr. Robertson, “are still of great authority in that court †.” Nor were they either appointed or ordered, as both the Doctors affirm, in *supersedence* of the ecclesiastical courts before. They were merely to act in *conjunction* with them, and for the quicker dispatch of causes. This is very plain from a publick record, even the very record which originally ordered the commissaries. In an act of privy council dated December 28, 1563, the Queen says: that “understanding—the “causis, quhilks the poir liegis of this realm had “decidit in THE CONSISTORIE of befoir, *be lang* “*delay of justice are frustrat, and thair compellit to* “*leif the soit* [suit] *of the saidis causis*; thairfore, “and that the saidis causis may haif *the mair summar proces and schortar end*,” she “hes thocht “gude that *jurisdictionis be erectit in sundrie partis* “*of this realm, and that COMMISSARIS be appointit*

* i. 79.

† i. 393.

“to gif attendance thairupoun *.” The ecclesiastical courts, therefore, continued acting to that day; whatever “the pretended parliament of August 1560” might order to the contrary †; and whatever Dr. Robertson may endeavour to found upon their order, by converting power into right, and by reducing commands into practices ‡.

But their modes of proceeding were slow. Commissaries were therefore appointed. These were equally to undertake the hearing of causes, for the more expeditious administration of justice. They accordingly went on in their own courts, while the ecclesiastical officers went on in theirs. And we see the fact lively displayed before our eyes, in Lady Bothwell suing for a divorce before the commissaries, and in Earl Bothwell suing for one before the metropolitical court of St. Andrew's, at the very same time.

So little was Mary guilty in 1566, as even her good friend Dr. Stuart charges her to have been; of “an enormous breach of the constitution, and a “flagrant violation of repeated proclamations to “uphold the protestant establishment §.” She was to maintain the establishment and the constitution, in the form in which she found them. She particularly found the old consistory still remaining. She continued it. She owed justice to her popish, as well as her protestant, subjects. Yet with the natural desire of a woman, and an amiable woman, to satisfy (if possible) the turbulence of protestantism;

* Keith, 250—251.
See also N^o xiv. hereafter.

† Ibid. 152.
§ i. 184.

‡ i. 392.

she broke through the rights of the papists, she erected new and protestant courts in addition to the ecclesiastical and popish courts before, and she gave them equally the hearing of ecclesiastical causes. She did this. And then with the gratitude, which the protestants always showed her in return for her indulgencies to them, Knox, that fiery comet of presbyterianism in figure, and in fact that rival to Buchanan in all the boldness of falsification and slander, asserted her to have broke in upon protestantism, when she had actually broke in upon popery; and affirmed her to have suppressed the commissaries, and restored the ecclesiastical courts, when she had actually deprived the courts of their *exclusive* jurisdiction, and given half their authority to her new-created commissaries. Missed by this confidence of lying, even Dr. Stuart in 1566 thought the ecclesiastical courts to have been long suppressed, the commissaries to have been long appointed in their room, and those to have been then erected again upon the ruins of these. And Dr. Robertson, who had drunk deep of the poisoned bowl of slander, reached out by the foul hands of a Knox and a Buchanan; even averred Mary, by this re-erection of the courts, to have “deprived the commissaries of all authority.”

Yet, what is remarkable in itself, and shows at once the contradiction of Knox's falshood to facts, the very contrary of their own assertions appears even in their own histories. Those very commissaries, to whose powers “Mary had given a blow” about December 1566, according to Dr. Stuart,

are found only in the April and May following, according to himself, hearing Lady Bothwell's suit of divorce. "The lady," he says, "commenced
 " a suit against Bothwell in THE COURT OF THE
 " COMMISSARIES, charging him as guilty of adul-
 " tery with one of her maids *." Dr. Robertson
 also, who has already "deprived the commissaries
 " of *all* authority," in a few pages produces Both-
 well suing "before protestant—judges,—IN THE
 " COURT OF COMMISSARIES †." And Buchanan
 therefore, with a happier combination of circum-
 stances, because with a wilder aberration from fact,
 asserts the ecclesiastical judges to have been totally
 abolished by the law before, and to have been re-
 stored merely for the trial of this single cause.
 One suit, he says, was "apud officiales, quos vo-
 " cant, judices episcopales, etsi decreto publico
 " vetitos *quicquam* pro magistratu agere, aut *ullam*
 " negotii publici partem attingere,—tamen ab
 " archiepiscopo Fani Andreæ *ad hanc litem cognos-*
 " *cendam* datos †."

The

* i. 219: † i. 419. The only alteration, which he has here made in his last edition, is changing Bothwell into his lady. "He prevailed with Lady Jane to apply to the pro-
 " testant COURT OF COMMISSARIES" (i. 433—434).

† Hist. xviii. 356. Dr. Robertson also, in his late edition, has adopted this assertion of Buchanan's. Bothwell, he says, sued "in the spiritual court of the archbishop of St. Andrew's,
 " *the jurisdiction of which the Queen had restored, by a special*
 " *commission granted for this purpose*" (i. 433). But he does this, to the wonderful contradiction of what he has said before; when he tells us in i. 392. edit. ivth, and equally in i. 403—404. edit. xith, that the Queen "issued a *proclamation* restoring
 " the

The court of commissaries and the ecclesiastical court, indeed, had gone on from the institution of the former to the present moment, acting in union together, and equally hearing ecclesiastical causes. Lady Bothwell brought her suit before the one, Earl Bothwell brought his before the other. The protestant did not suppress the popish judicature. The popish did not crush the protestant. Each even acted as a spur upon the other. Both became emulously quick and expeditious, in the determination of causes. Hence, no doubt, they were both of them so very active as we have seen them, in dispatching these two causes. And we additionally find the ecclesiastical court in particular, at the instance of the very same parties, and in order to lay the grounds for a dispensation to them, busy in ascertaining the degrees of their consanguinity, even so early as the 21st of February 1565-6; at the

“the archbishop,” and that this was “a short time before
“the meeting of the assembly,” which met on December the 25th, 1566 (Keith, 563). And a commission was granted therefore, or (as the Doctor says in the other place) a proclamation was issued in the month of *December* 1566, for passing a sentence of divorce in the *May* following; though *Bothwell* had not then any *thought* of a *divorce*, though even his *lady* had none then, and though even *Mary* herself was not then a *widow*. There has also been some confusion, made in the memorial of Robertson, ii. 450. The words run thus at present; “was a
“commissioun grantit *to* the archbishop—and Robert, bishop
“of Dunkeld,” &c. But they should run thus; “*by* the arch-
“bishop—to Robert,” &c. The commission was *from* the archbishop, not *to* him. So Buchanan says here, “*ab* archie-
“piscopo.” So Goodall, i. 369, actually states the clause to be. And so the context and common-sense unite to show it should be.

very

very time when an ecclesiastical court is said to have been absolutely non-existent in Scotland, NINE OR TEN MONTHS at least before Knox's pretended revival of the court, and FIFTEEN OR SIXTEEN before Buchanan's *.

But I proceed to the other point. The only faithful historian of Mary's life, has suffered himself to be led into another mistake, which my account above serves equally to rectify. It is with pain, that I point out *these spots in the sun*. My only view is, to clear the annals of Mary from some of the many errors, with which, I fear, the ignorance, the negligence, and the falshood of her *first* historians have still clouded them. "Six months before the adventure of Dunbar," says Dr. Stuart †, "he," Bothwell, "had married Lady Jane Gordon." Melvill here misled him, as Knox did before. Melvill is as little to be trusted for a date, as Knox is for a fact, against Mary. Bothwell, says that writer, "had *six months before* married the Earl of Huntly's sister ‡." Melvill indeed goes farther back than Dr. Stuart, even to the rising reports of Bothwell's intent to marry the Queen, and to a period between the murder of her husband and the seizure of her person. But he is as much mistaken in this account, as he is in a variety of others. In the record of the ecclesiastical court, which settled the degrees of consanguinity between Bothwell and his intended wife, and to

* Tytler, edit. 3d, App. 26.
Hume, v. 115.

† i. 219. So likewise

‡ P. 78. So Keith also in 383.

which

which I have referred before; it is plain, that the marriage was already agreed upon, on the 21st of February 1565-6 *. And from the cotemporary minutes concerning the divorce, to which I have equally referred before, it is also plain; that the said marriage took place in a few days afterward, and before the expiration of the month †; about FOURTEEN months before the imprisonment of Mary at Dunbar, and near TWELVE before the murder of Darnly.

“ After the devise of the murder was determined,
“ as it seemed by the sequell; they inferred upon
“ a letter of hir own hand, that there was another
“ meane of a more cleanly conveyance devised to
“ kill the King. For there was a quarrell made
“ betwixte him and Lord Robert of Holie-roode-
“ house, by carying of false tales betwixte theme,
“ the Quene being the instrument, as they sayde,
“ to bring it to pass; which purpose, if it had taken
“ effect, as it was very likelie (for, the one geving
“ the lye to the other, they were at daggers-draw-
“ inge), it had eased them of the prosecution of the
“ devilish fact; which, this taking none effect, was
“ afterwards most tirranously executed (1).

“ Afterwards they shewed unto us one horrible
“ and long letter of her own hand, as they saye,
“ conteining foule matteir, and abominable to be

* Tytler, edit. 3d. App. 25 and 26. † Robertson, ii. 450.

“ either

“ either thought of or to be written by a prince ;
 “ with diverse fond ballades of her own hand : which

(1) This is a most ridiculous accusation against the Queen. The King, and her natural brother Lord Robert, quarrelled, gave the lye to each other, and were just drawing their short fwords, each against the other. And therefore somebody had made the quarrel between them, in order—to have the King murdered. So Sir Roger de Coverley’s ancestor was very like to have been killed at the battle of Worcester, because he was sent away on some business—only the day before. On this strange likelihood, however, the rebels had even founded a letter. And they give us a pretty circumstantial account of the letter, in their journal*. The quarrel was probably real. Nor let the King be thought to have been then too weak, for one. He was not so weak as we may suppose. “ He was “ newly recoverit,” says Buchanan, and “ he began “ to go abrode †.” But it is very observable, that, according to Buchanan’s *own account* of this quarrel, the *Queen* actually *interposed to put an end to it*. “ About thré dayis befoir that the King was slane, “ scho practisit to set hir brother Lord Robert and “ him at deidlie feid; making reckning that it fulde “ be gayne to hir, quhilk sa ever of thame baith “ had perischit. For mater to ground thair dissen-

* N^o x. of this Appendix.
 and 262, Jebb.

† Detection, 74, Anderson,

“ tioun,

“ tioun, scho maid reheirfall of the speich, that the
 “ King had had with hir concerning hir brother :
 “ and quhen thay baith sa grew in talk, as the ane
 “ semit to charge the uther with the lie, at last thay
 “ wer in a maner cum from wordis to blawis. Bot
 “ quhil thay wer baith laying thair handis on thair
 “ wappinis, *the Queen*, fenzeing as thocht [though]
 “ scho had bene *perrillously effrayit* of that quhilk
 “ scho ernistlie desyrit, *callit the Erle of Murray*,
 “ hir uther brother, *to the parting**.” That the

Queen was an artful fomenter of quarrels, no one will believe, I think, who knows any thing of human nature or of her. She had too much of the amiable weakness of a confiding credulity about her, to be such a woman. But Murray was exactly that character. He in all probability was the real cause of the quarrel. He delighted in the work of mischief. And Mary, by the very confession of her slanderer, took fright at the tendency to drawing swords in them, and called in Murray to part them.

Lord Robert had been peculiarly attached to Darnly. He is, says Randolph, the English resident, in a letter of March 20, 1565, “ vain and
 “ nothing worth, a man full of all evil, the whole
 “ guider and ruler of my Lord Darnly †.”

“ letters, ballades, and other writings before speci-
 “ fied, weare closed in a little coffer of silver and

* Detection, 18—19, Anderson, and 243, Jebb. † Keith,
 272.

“ gilte,

“gilte, heretofore geaven by her to Bothwell. The
“said letters and ballades do discover fuch inordi-
“nate love betweene her and Bothwell, her looth-
“fomenefs and abhorringe of her husband that was
“murdered, in fuch forte, as everie good and godlie
“man can not but deteft and abhorre the fame.

“And thefe men heare do constantlie affirme
“the said letters and other writings, which they
“produce of her own hand, to be her own hand
“indede; and do offer to fwear and take their oaths
“thereupon: the matteir conteyned in them being
“fuch, as could hardlie be invented or devised by
“any other than by herfelfe, for that they difcours
“of fome things, which weare unknowen to anie
“other than to herfelf and Bothwell. And as it is
“hard to counterfiete fo manie, fo the matter of
“them, and the manner how thefe men came by
“them is fuch; as it feemeth that God (in whose
“fight murder and bludfhed of the innocent is
“abhommable [abominable]) wolde not permit
“the fame to be hid or concealed.

“In a paper here inclofed, we have noted to your
“Majestie the chiefe and speciall points of the said
“letters, written (as they fay) with her own hand,
“to the intent it may please your Majestie to con-
“sider of them, and fo to judge whether the fame
“be fufficient to convince her of the detestable
“crime of the murder of her husband; which in our
“opinions and confciences, if the said letters be
“written with her own hand, is verie hard to be
“avoided: most humblie befeaching your Majestie,
“that

“ that it may please the same to advertise us of your
 “ opinion and judgment therein (1) * ”

(1) To the account given of the bond in this article, I wish to subjoin a few remarks, which have been additionally suggested to my mind, on this transcription of it.

“ In *proufe* that they did it,” did subscribe the bond, “ not willinglie ; they procured a *warrant*—
 “ signed with the Quene’s hand ; whereby she gave
 “ them licence to agree to the same.” Yet what proof was this ? Did the Queen’s warrant *command* them to sign ? Did it denounce *pains and penalties*, if they did not sign ? Or did it even intimate her *high displeasure*, if they did not ? It neither intimated, denounced, nor commanded. It only, according to their own account, “ gave them LICENCE to agree
 “ to the same.” And what *proof* then could it be, “ that they did it not willinglie ? ” But, even if it could be, did they not “ PROCURE ” it themselves ? Do not they *own* that they did ? And is not *this* a *full* proof, and the *fullest* of all proofs, that they did the other “ willinglie ? ”

“ Before they had such warrant, there was none of
 “ them that did or wolde set to their hands, saving
 “ only the Earl of Huntley.” The licence then was sent for, *after* the lords were met, *after* the supper was ended, *after* the bond was produced, *after* Huntly had subscribed, and *after* the rest had re-

* Anderson, iv. part 2d, 58—63 ; and Goodall, ii. 139—143 ; from Cott. Library, Caligula, c. i. fol. 198.

fused. It must therefore have been very late in the 19th of April, the day of the date and of the supper, and nearly at the conclusion of it; when the licence was sent for. The Queen in March supped at seven *. In November she went to bed about nine †. Was her Majesty then called up from her bed to sign it? Was her attorney general sent for to draw it up? Or was she such a lawyer, as to draw it up herself.

But “two hundred harkebusiers,” it seems, were “in the court, and about the chamber-door, wheare they supped; which weare all at Bothwell’s devotion.” These compelled them to sign the bond. Yet all, except Huntly, are said before to have refused to sign, notwithstanding the harquebusiers. They refused till the licence came. They could therefore have refused still. What could not compell them at one hour of the evening, could not at another. And their harquebusiers, by their own account, could not have operated as an efficient principle of compulsion upon them.

We have here indeed *two* principles of influence noticed, the harquebusiers and the licence. On which did they act? On the licence, they say at one time. On the harquebusiers, they say at another. When they mention the licence, they “procured” it, they say, “as a proufe that they signed not willingly.” When they speak of the harquebusiers, they “were induced after supper,” they say,—“to subscribe to the said bond, two hundred—being

* Keith, 331; “about fix,” say Crawford’s Memoirs, 9; and “at fix,” say Melvill’s, 64.

† Keith, 204.

“in

“in the court,” &c. On which then did they act?

But a *third* principle of influence is also hinted at. The licence indeed is alledged, as a “proufe” that they signed not *willinglie*.” Yet they did so in *part*, as they own themselves. When they first mention the bond, they say they subscribed it “MORE for feare, than any lykinge they had of the same.” They therefore acted in *some* measure from liking. Even when they re-mention the bond, with the addition of the harquebusiers at the door; they subscribed it, they repeat, “MORE for fear than otherwayes.” They therefore acted only in *part* from fear, by their own confession. And a fear, that admits a mixture of liking with it, can excuse no action, and extenuate no crime.

What then was this liking? An approbation of the design and tendency of the bond. This however could not induce them to sign. They must have a licence first from the Queen. They had one. Yet, even still, they were obliged to be frightened into signing by the harquebusiers. And after all they signed, not entirely because of the harquebusiers, not entirely because of the licence, and not even because of both; but from both, and from some liking to the work, together. They thus betray their own iniquity, in the very act of varnishing it over.

But “two hundred” harquebusiers, it seems, were “in the court” of the tavern, “and about the chamber-door wheare they supped.” Yet these permitted them to send for the licence. They sent

for it, “in *proufe* that they signed not willingly.” But was there need of *any* proof of this, when they were besieged by two hundred harquebusiers, some at the door ready for immediate mischief, and others in the court below waiting to second them? Was not this, *of itself*, a proof infinitely beyond all the licences in the world? It certainly was.

They sent however for the licence. And could they not also have sent for *assistance*, to rescue them from the formidable guard about them? Could not the person, who went for the licence at that late hour of night, have gone to the town-guard, and brought them down to the tavern? Or was the guard-house more remote from the tavern, than the palace was? The guard-house was *within* the city, and near. The palace was *without* the walls, and distant.

Could even none of *themselves* have escaped out of the room, and have communicated the alarm to the guard? Were the harquebusiers under such strict orders, and were they so vigilant in the execution of them; that not *one* of their number could elope to the guard-house? Were the harquebusiers at the *windows*, as well as at the door? And was not *one* of the lords suffered to go out, upon any *necessary* purposes? *One* of them, we know, did actually steal off. “Eglinton,” says John Read himself, “subscribed not, but slipped away*.” If *he* could slip away, others could have done so too. There must either have been no harquebusiers at

* Anderson, i. 112.

all, or they must have been very remiss in their duty. And those who staid might have stolen away. So much does this single fact decisively prove. But it proves even more. It proves that there were no harquebusiers at all. Had there been, even if he alone could have stolen away, this would have been sufficient. He would certainly have communicated the alarm. He would have brought the town-guard to the tavern. He would have relieved immediately his imprisoned brethren. The zeal, which made him effect his retreat from them, would have made him return to their relief. The strong dislike, which he had to the subscription himself, would have given him wings to prevent it in others. But he went away un-stopped by these imaginary harquebusiers. He therefore thought not of rescuing the rest, from what did not exist. They might have slipped away as he did. There was no more force upon them, than upon him. And he left them to stay and sign, because they liked to do so.

The lords that staid, however, “so much disliked,” say the rebels, the over-awing by the harquebusiers; that they did—what? Indignant at the force put upon them at the time, they did *not* fly with their swords instantly to the throat of Bothwell, as the captain of this gang of assassins; and threaten him with immediate death, if he did not order them out of the court and from the door. No! They—all subscribed to a man. Indignant on reflecting upon it afterwards, they did *not*, man by man, call him to an account the next day; for

the constraint which he had put upon their persons, for the violence which he had exercised upon their wills, for the insult which he had offered to their honour, and for the act of treasonable presumption in which he had involved them. No! They took a more dignified revenge. They acted in a more heroical manner. The next morning they shewed their resentment to Bothwell, by—leaving the town without taking leave of one another. “The said lords so much disliked” the guard of harquebusiers; “that the next morning, by four of the clock, few or none of them were left in the towne, but departed without taking their leave.” Such is the great revenge of magnanimous souls!

On the whole then, they were unwilling to sign before the licence came. They *would not* sign before, notwithstanding the two hundred harquebusiers. The licence, consequently, was *all*. Yet, after it came, they signed *unwillingly*. Of what use therefore was even this *all* in itself? They could but have signed unwillingly without it. They still signed unwillingly with it. They were still forced by the harquebusiers, who *could not* force them before. And they behaved at the close, just as if they had received no licence at all; shewing themselves discontented at the force used to them, and taking equally their high-souled revenge for it.

So very absurd and so very contradictory is the account, which the rebels have here given us of their subscribing the bond. It is very difficult to incorporate truth with falsehood. They will not unite thoroughly together. Something will float
upon

upon the surface, to betray the mixture. And the rebels appear from *their own* account, to have subscribed equally without licence and without force.

N^o VI.

“ ABSTRACT OF MATTERS SHEWED TO THE QUENE’S
 “ MAJESTIE’S COMMISSONERS BY THE SCOTTES,
 “ SENT THE 11th OF OCTOBER*.

“ *A breif note of the cheif and principall poinets of*
 “ *the Queen of Scottes lettres written to Bothaill,*
 “ *which may tend to her condempnation, for her*
 “ *consent and procurement of the murder of her*
 “ *husband, as farre fortbe as we coulde by the*
 “ *readinge gather.*

“ FIRST, the plaine and manifest wordes con-
 “ teyned in the said lettres, declaringe the inordi-
 “ nate and filthie love betwene her and Bothaill.

“ Next, the like wordes, plainly declaringe how
 “ she hated and abhorred her said husband.

“ Then for the declaration of the conspiracie,
 “ and her procurement and consent to the murder
 “ of her said husband, how she toke her journey
 “ from Edenburghe to Glasco, to visite him, beinge

* This title belongs equally to the present and the succeeding article; and they are both spoken of in the article preceding, as “a paper inclosed” within it.

“ theare sicke, and pourposely of intent to bringe
“ him with her to Edenburghe.

“ She wrote to Bothaill from Glasco, how she
“ flattered her said husband to obtaine her purpose;
“ and that the Earl of Lenox his father, that daye
“ that she was devisinge to bringe his sonne to Eden-
“ burghe, did blede at the noose and mowthe;
“ willing the said Bothaill to ghesse what presage it
“ was.

“ She wrote also, that she was about a worke
“ that she hated greatly, and that she lied and dis-
“ sembled to get creadite with her husband, and to
“ bringe her faschious purpose to passe; confessing
“ herselfe therein to do the office of a traiteresse,
“ which, weare it not to obey Bothaill, she had lever
“ [rather] be dead then do it, for her harte did
“ blede at it.

“ Also she wrote, that she had wonne her husband
“ to goo with her to Edenburghe, and to do whatso-
“ ever she wolde have him to do, sayinge, Alas!
“ she never deceived anie before; remittinge her-
“ selfe altogether to the will and pleasure of Both-
“ aill, wherein she wold obey him, whatsoever come
“ thereof; requyring him to advise with himself,
“ if he coulde fynde owt any other secreat inven-
“ tion by medicine, for her husband was to take
“ medicine, and the bath also, at Cragmiller.

“ She biddeth Bothaill to burn the lettre, for it
“ was over daungerous to them, and nothinge well
“ said in it, for that she was thinkinge upon no-
“ thinge but fascherie; requyring him, that, sithens
“ to obey him, her deare love, she spared neither
“ honour,

“honour, conscience, hazard, nor greatnes whatso-
 “ever, he woulde take it in good parte; and that
 “he wold not see her, whose fained tears shoulde
 “not be so muche praised, as the faithfull tra-
 “vailles which she susteyned to merite her place;
 “for the obteyninge whereof, against her nature, she
 “betraied him that might impeche it; prayinge
 “God to forgeave her, and to geave unto Bothaill,
 “her only love, the happe and proufperitie, which
 “she, his humble and faithfull love, wisshithe unto
 “him; hooping shortely to be another thinge unto
 “him, for the rewarde of her yrkesome troubles.

“Finally, she wrote to Bothaill, that accordinge
 “to her commission she wolde bringe the man with
 “her; prayinge him to worke wisely, or els the
 “whole burden wolde lye on her shoulders; and
 “specially to make goode watche, that the bird
 “escaped not owt of the cage*.”

“*Examinatur.*”

N^o VII.

“*Notes drawn furth of the Quenis Letters sent to*
 “*the Erle Bothwell.*”

“IMPRIMIS, After lang discourse of hir
 “conference with the King hir husband in Glas-
 “cow, sche wraitis to the said Erle in thir termes;

* Goodall, ii. 148—150, and Haynes, 480—481, from a paper indorsed by Secretary Cecil.

“ This is my first jurnay, I fall end the same the
 “ morne: I wreite in all thingis, howbeit they be
 “ of littill weycht, to the end that ye may tak the
 “ best of all to judge upoun. I am in doing ane
 “ wark heir, that I haitte gretlie: Haif ye not
 “ desyr to lauche, to sie me lie sa weill, at the leist
 “ to dissemble so weill, and to tell hym the treuth
 “ betwix handis.”

“ Item, Schortlie after: “ We are coupled with
 “ twae fals racis: the devill syndere us, and God
 “ mot knit us togidder for ever, for the maist faith-
 “ ful cupple that ever he unitit. This is my faith,
 “ I will die in it.”

“ Item, Thairefter, “ I am not weill at ease,
 “ and zeit verray glaid to wreit unto you quhen the
 “ rest are slepand; sen that I cannot sleip as they
 “ do, and as I wald desyir, that is, in your armis,
 “ my deir luife.”

“ Item, A littill thairefter: “ Adverteis me
 “ quhat ze haif deliberat to do in the matter ye
 “ knaw upon this point, to the end we may under-
 “ stand utheris wele, that nathing thair throw be
 “ spilt.”

“ Item, Thus sche concludis the lettre: “ Wareit
 “ mocht this pokishe man be, that causes me haif
 “ sa meikill pane, for without hym I wald haif ane
 “ fair mair plesant subject to discourse upoun. He
 “ is not o'er meikle spilt, bot he has gottin verray
 “ mekill; he has almaist slane me with his braith;
 “ it is war nor your unclis, and zeit I cum na nei-
 “ rar, bot sat in ane cheir at the bed-fute, and he
 “ beand at the uther end thairof.”

“ Item,

“ Item, Thairefter, “ Ye gar me dissemble fa
“ far, that I haif horring thairat, and ze caus me
“ almaiſt do the office of an trahatores. Remem-
“ ber yow, yf it wer not to obey yow, I had raither
“ be deid or I did it, my heart blidis at it. Summa,
“ he will not cum with me, except upon conditioun
“ that I fall be at bed and bourd with hym as of
“ befoir, and that I fall leif him na efter.”

“ Item, Schortlie thairefter: “ Summa, he will
“ gae upoun my word to all places. Alace, I
“ never diffavit any bodie, bot I remit me alto-
“ gidder to your will. Send me advertiſement
“ quhat I fall do, and, quhatſumever fall cum
“ thairof, I fall obey you; advys tó with yourſelf,
“ yf ye can fynd out any mair ſecreit inventioun be
“ medecein and the baith in Craigmillar.”

“ Item, Thairefter, “ I fall draw out all thingis
“ out of hym, gif ye will that I advow all thingis
“ unto hym; bot I will never rejois to diffave any
“ bodie that truſtis in me; zet notwithstanding ye
“ may command me in all thingis. Haif no evill
“ opinioun of me for that cauſe, be reaſon ye ar
“ the occaſioun of it your ſelf, becauſe for my awn
“ particular revenge I wold not do it to hym.”

“ Item, After, “ For certaintie he ſuſpectis that
“ thing ye know, and of his lyif; bot as to the laſt,
“ how ſone I ſpeak twae or thrie guid wordis unto
“ hym, he rejois and is out of doubt.”

“ Item, Schortlie thairefter, “ All the Hamil-
“ tounis are heir with me, and accompanies me
“ verry honorably.”

“ Item, Thairefter, “ Be not offendit, for I gif
“ not

“ not our [o’er] mekill credyt. Now, fence to
 “ obey you, my deir luife, I spare nouthier honor,
 “ conscience, nor gretnes quhatsumever, I pray
 “ you tak it in guid part, and not after the inter-
 “ pretation of your fals guid-brother ; to quhom,
 “ I pray you, gif nae credyns agains the maist
 “ faythfull luifer, that ever ye had, or ever fall
 “ haif. Sie not hir, quhais fenzeit tearis fuld not
 “ be sa mekill praysit nor este myt, as the trew and
 “ faythfull travaillis, quhilk I sustene to merit hir
 “ place ; for obteyning of quhilk, againis my na-
 “ turall, I betray thame that may impesche me.
 “ God forgive me, and God gife yow, my onlie
 “ luif, the hape and prosperitie that your humble
 “ and faythfull luif desyris unto yow, quha hoipis
 “ schortlie to be ane uther thing unto yow.”

“ Item, In the credit gifin to the berar, quhome
 “ we understand was Pareis, “ Remember yow of
 “ the purpois of the Ladie Reires, of
 “ the ludgene in Edinburt.”

“ Item, In ane uther lettre sent be Betoun :
 “ As to me, howbeit I heir noe farther newes from
 “ yow, according to my commission, I bring the
 “ man with me to Craigmillar upon Munday,
 “ quhair he will be all Wednisday. And I will
 “ gang to Edinburt to draw bluid of me, gif in the
 “ mene tyme I get no newes in the contrair from
 “ yow.”

“ Item, Verray schortlie after : “ Summa, ye
 “ will say he makis the court to me, of the quhilk
 “ I tak so gret pleseur, that I enter never quhair
 “ he is, bot incontinent I tak the seiknes of my
 “ fyde,

“ fyde, I ame soe faschit with it: yf Pareis bring me
 “ that quhilk I send hym for, I treast it fall amend
 “ me. I pray yow adverteis me of your newes at
 “ length, and quhat I fall do in caice ye be not
 “ returnit quhen I cum thair; for, in cais ye work
 “ not wyfelie, I fie that the haill burthin of this will
 “ fall upon my schulderis. Provyde for all thingis,
 “ and discourse upon it first your self.”

“ Item, In ane uther lettre: “ I pray yow, ac-
 “ cording to your pomeis, to discharge your hart
 “ to me; uthervayis I will think that my malheure,
 “ and the guid composing of thame, that hes not
 “ the third part of the faythfull and willing obedi-
 “ ence unto yow that I beyre, has wyne, againis my
 “ will, that advantage over me quhilk the secund
 “ luif of Jason wan; not that I wolde compair yow
 “ to ane sa unhappie as he was, nor yit myself to
 “ ane soe unpetifull a woman as sche; howbeit ye
 “ cause ma be sumquhat lyck unto hir in ony
 “ thing that twichis yow, or that may preserve and
 “ keip yow to hir, to quhome ye onlie appertein;
 “ yf it may be fuer that I may appropriat that,
 “ quhilk is wonne throuche faythfull, yea only,
 “ luiffing yow; quhilk I do and fall do all the
 “ dayis of my lyif, for pane and evil that can cum
 “ thereof. In recompense of the quhilk, and of
 “ all the evill quhilks ye haif bein cause of to me,
 “ remember yow upon the place heir besyd,
 “ &c.* ”

* Anderson, iv. part 2d. 71—75, and Goodall, ii. 150—
 153, from the paper-office.

N^o VIII.

THE JOURNAL OF THE COMMISSIONERS.

“ Die Mercurii, 8. Decembris 1568,
“ at Westminster,

“ THIS daye the Erle of Murray, according
“ to the appoyntment yesterday, came to the
“ Quene’s Majestie’s commissioners, saying : that as
“ they had yesternight produced and shewed fundry
“ wrytings, tending to prove the hatred which the
“ Quene of Scotts bare toward her husband to the
“ tyme of his murder, wherin also they said might
“ appear speciall arguments of her inordinate love
“ towards the Erle Bothwell ; so, for the further
“ satisfaction both of the Quene’s Majestie and
“ theyr lordships, they were ready to produce and
“ shew a great number of other letters wrytten by
“ the said Quene, wherin, as they said, might ap-
“ pear very evidently her inordinate love towards the
“ said Erle Bothwell, with fundry other arguments
“ of her guiltynes of the murder of her husband.
“ And so therupon they produced seven several
“ wrytings wrytten in French, in the lyke Romain
“ hand as others her letters, which were shewed
“ yesternight, and avowed by them to be wrytten
“ by the said Quene. Which seven wrytings, be-
“ ing copied, were read in French, and a due col-
“ lation made therof, as neere as could be, by read-
“ ing and inspection ; and made to accord with
“ the

“ the originals, which the said Earl of Murray re-
 “ quired to be re-delivered, and did therupon de-
 “ liver the copies, being collationed. The tenors
 “ of all which seven wrytings hereafter follow in
 “ order; the first being in manner of a sonnet,

“ “ O Dieux, ayez de moy, &c.* ” ”

“ Apud Westminster, die Jovis, 9. die Decembris
 “ 1568.

“ The Quene’s Majestie’s commissioners being
 “ occupied in perusing and reading certain lettres
 “ and sonnets wrytten in French, being duly trans-
 “ lated into English, and other wrytings also, ex-
 “ hibited yesterday to them by the Erle of Mur-
 “ ray and his colleagues;—the commissioners pro-
 “ ceeded until dinner tyme, in the hearing and pe-
 “ rusing of the foresaid wrytings †.”

* Anderson, iv. part 2d, 150—151, and Goodall, ii. 235, from the Cotton library, Caligula, c. i. fol. 241, which is here altered and interlined in several places by Cecil’s hand. The reader should also be informed, that the journal at present contains no more of the sonnets or letters, than the half-line of the former above.

† Anderson, iv. part 2d. 155, and Goodall, ii. 239—240, from Cott. lib. Calig. c. i. fol. 252, which is again altered and interlined in several places by Cecil’s hand.

N^o IX.

THE JOURNAL OF THE PRIVY COUNCIL.

“ Apud Hampton-Court, die Martis, xiv.

“ Decembris, 1568.

“ And before those articles
 “ were read, there were produced fundry lettres
 “ written in French, supposed to be written by
 “ the Quene of Scotts own hand to the Erle Both-
 “ well; and therewith also one long sonnet; and a
 “ promise of marriage, in the name of the said
 “ Quene, with the said Erle Bothwell. Of which
 “ lettres the originals, supposed to be written with
 “ the Queen of Scotts own hand, were then also
 “ presently produced and perused; and, being read,
 “ were duly conferred and compared, for the man-
 “ ner of writing and fashion of orthography, with
 “ fundry other lettres long since heretofore writ-
 “ ten, and sent by the said Quene of Scotts to the
 “ Quene’s Majesty.”

“ Die Mercurii, xv. Decembris 1568.

“ Next wherunto was produced,
 “ read, and viewed, the original writing, supposed
 “ to be written by the Erle of Huntley; being a
 “ contract of mariage betwixt the Quene and the
 “ Erle Bothwell, dated at Seaton the 5th of Aprill,
 “ and subscribed by the Quene and the Erle Both-
 “ well

“ well with their own proper handes, as was al-
 “ ledged: the true copy wherof is amongst the
 “ things exhibited the 7th of December *.”

N° X.

THE REBEL JOURNAL, SO-FAR AS RELATES TO THE
 PRESENT WORK.

“ [1566] June 19. King James the Sixt was
 borne.

.

“ [1566-7] January 21. The Quene tuik hir
 “ journey towards Glascow, and was accompanyit
 “ with the Erlis of Huntly and Bothwell to the
 “ Kalendar, my Lord Levistoun's place.

“ 23. The Queen came to Glascow, and on
 “ the rode met hir Thomas Crauford from the
 “ Erle of Lennux, and Sir James Hamilton, with
 “ the rest mentionit in hir letter. Erle Huntly and
 “ Bothwell returnit that fame nycht to Edinbrough,
 “ and Bothwell lay in the town.

“ 24. The Quene remaynit at Glascow, lyck
 “ as she did the 25th and the 26th, and hayd the
 “ conference with the King whereof she wryttis;
 “ and in this tyme wrayt hir bylle and uther letteris
 “ to Bothwell. And Bothwell this 24th day wes

* Anderson, iv. part 2d. 172—175, and Goodall, ii. 256,
 and 257, from the Cott. lib. Cal. c. i. fol. 261 and 262, which
 is again altered and interlined in several places by Cecil's
 hand.

“ found

“ found verray tymus, weséing the King’s ludging
“ that wes in preparing for him; and the same
“ nycht tuik journey towards Lyddisdaill.

“ 27. The Quene (conforme to hir commission,
“ as she wryttis) broucht the King from Glascow
“ to the Kalendar, towards Edinbrough.

“ Jan. 28. The Quene broucht the King to
“ Linlythquow; and there remained all morn.
“ quhill she gat word of my Lord Bothwell his re-
“ turning towards Edynbrough, be Hob Ormif-
“ toun, ane of the murtheraris. The same day
“ the Erle Bothwell came back from Lyddisdaill
“ towards Edynbrough.

“ 29. She remained all day in Linlithquow
“ with the King, and wraytt from thence to Both-
“ well.

“ 30. The Quene broucht the King to Edyn-
“ brough, and patt him in his ludging quhair he
“ endit; and Bothwell, keiping tryist, met hir upon
“ the way.

“ February 5. She ludged all nycht under the
“ King, in the chalmer, quhairin the poulder was
“ layd thairefter, and quhairof Paris, her chalmer-
“ child, reffavit the key.

“ 7. She ludged and lay all nycht agane in the
“ foresaid chalmer, and from thence wrayt that same
“ nycht the letter, concerning the purpose of the
“ abbot of Halyruid-house.

“ 8. She confronted the King, and my Lord
“ of Halyruid-house, conform to hir letter wryttin
“ the nycht befoir.

“ 9. She and Bothwell soupped at the bankett
“ with

“ with the Bishop of the Yllis, and efter past up,
 “ accompanyit with Argyle, Huntly, and Both-
 “ well, to the King’s chalmer; and thair thay re-
 “ maynit cheriffing him, quhill Bothwell and his
 “ complices hayd putt all thingis to ordour, and
 “ Paris, hir chalmer-child, hayd reffavit in hir
 “ chalmer the pulder, and came up agane, and
 “ gef the signe. And thay departit to Bastien’s
 “ banquet and masque about eleven houris; and
 “ thairefter thay baith returnit to the abbay, and
 “ talkit quhill twelve houris and eftir.

“ 10. Betwix twa and thré of the clock, the
 “ King was blawin in the air be the pulder.

.

“ 12. Hary Killigrew arryvit from
 “ the Quene’s Majestie.

“ Feb. 21. Thay past togidder to Seytoun.—

“ Marche 10. Thay returnit to Edinbrough—.

“ At this tyme my Lord Regent purchaist leif to
 “ depart.

“ 24. Thay returnit agane to Seytoun—.

“ April 5. The secund contract of mariage, per
 “ verba de præfenti, wes maid and wryttin be my
 “ Lord of Huntly; quha, for his restoring agane
 “ the forfaltour, had purchasit ane procuratory sub-
 “ scryvit with his sister’s hand, then wyif to Both-
 “ well: and thair wes the counsale haldin for the
 “ cleansing of Bothwell.

“ 9. My Lord Regent departit furth of Scot-
 “ land.

“ 10. Thay returnit to Edinbrough, to Both-
 “ well’s cleansing.

“ 12. Quhilk wes Setterday, Bothwell wes cleansit
“ werray strangely, as the procefs beiris.

“ 14. Quhilk wes Mounday, the first day of
“ the parliament, set onlie for reduction of my Lord
“ Huntly's forfaltour.

“ 18. Quhilk wes Friday, the day of the sum-
“ monds of reduction of the Erle of Huntly's for-
“ faltour.

“ 19. Quhilk wes Setterday, the decreyt of re-
“ duction wes gevin for the Erle of Huntly and
“ all his freindis. The same nycht the lordis past
“ the band efter supper to the Erle Bothwell, be-
“ ing drawin secretlie be him to the supper.

“ 21. Viz. Mounday, the Quene raid to Stirling,
“ as it wes devysit, and from thence wreyt the let-
“ teris concerning the purpose devysit of hir ravish-
“ ing; quhair Huntly cam to hir, and began to
“ repent him. In the mene tyme Bothwell re-
“ mainit at Edinbrough, assembling his forces.

“ April 23. She came to Linlythquow, and
“ Bothwell came to Haltoun hard by.

“ 24. She sent the Erle of Huntly to Both-
“ well in the morning, quha met hir upon the way,
“ seamit to ravish hir, and tuik Huntly and the se-
“ cretarie prisoneris, and led them all to Dumbar,
“ and thair remainit to the 3d of May.

“ 26. The first precept for the partising of the
“ Erle Bothwell and his wyif, was direct furth from
“ the commissarys of Edinbrough.

“ 27. The second precept of partising, befoir
“ Maister John Manderstoun, commissair to the
“ Bishop of Sanctandrois, wes direct furth.

“ May

“ May 3. She wes conweyit be Bothwell and
“ all his freindis, with sperris, to Edinbrough cas-
“ tell, and for fear of accusation [they] kаст thair
“ sperris from thame be the way ; and the nixt
“ Sunday hir bannis wer proclamit be hir awin
“ precept, subscrivit with hir hand.

“ 12. She cam with Bothwell out of the castell,
“ to the tolbuyth befoir the lordis of session, and
“ tuik hir protestatioun and act thair of hir libertie ;
“ and so past togidder to the abbay.

“ 15. Thay wer publicklye mareit efter baith
“ the fortis of the kirkis, reformit and un-reformit,
“ and remaynit to the 7th of June.

“ June 7. He purposit and rayd against the
“ Lord Howme and Ferneherst, and so past to
“ Melros, and she to Borthwick.

“ 11. The lordis cam suddanlye to Borthwick :
“ Bothwell fled to Dumbar, and the lordis retyrit
“ to Edinburgh. She followit Bothwell to Dum-
“ bar disguysit.

“ 15. Thay cam from Dumbar to Carbarrye
“ hill, quhair the lordis met thame. The Erle
“ Bothwell fled, and she cam to Edinbrough with
“ the lordis.

“ 16. She past to Lochlevin, and thair re-
“ maynit to the 2d of May 1568.

“ 20. Dalgleshe, chalmer-child to my Lord
“ Bothwell, wes takin, and the box and letteris
“ quhilk he brought out of the castel. About
“ this tyme my Lord Buthwell fled be sea to the
“ north.

“ July 24. The Quene maid resignation of hir

“ crowne in favour of hir sone, *now our Soverane*,
 “ and past commissiounis of government. At this
 “ tyme Sir Nycholas Throgmorton was in Scot-
 “ land.

“ 29. The King was crownit at Striviling.
 “ Middilmoir was present.

“ August 14. My Lord of Murray, *now regent*,
 “ returnit furth of France, and cam to Edinbrough.

.

“ 22. My Lord, *now regent*, wes movit to ac-
 “ cept upon him the commission of regentry, and
 “ gef his solemnit ayth for dew ministration.

.

“ May 15. Maister Middilmoir, sent from the
 “ Quene’s Majestie, causit my Lord from thence-
 “ furth absteyn from armour and violence *.”

Of this remarkable journal I have made im-
 portant use against the rebels. Against *them* it
 is a decisive evidence. But against the *Queen* it
 is of no authority at all. And I wish to show the
 wonderful contradictoriness, and as wonderful ab-
 surdity, of this and other accounts furnished by the
 rebels against her.

“ George Buchanan and others write,” says Mr.
 Goodall, “ that Bothwell seized the Queen at Al-

* From a copy marked by secretary Cecil’s hand, Cotton
 Library, Caligula, b. ix. fol. 247; the *whole* of which is in
 Anderson, ii. 269—277, and *part* in Goodall, ii. 247—251.
 The orthography of these two copies differs much at times.
 But I have followed Goodall’s, for his part.

“ mon Water; and others seek the place to the
 “ *west* of Linlithgow *.” Mr. Goodall here speaks
 with a seeming confusion of ideas, that would be
 very extraordinary in a man of his clearness of con-
 ception, and in one living so near to the geogra-
 phical objects specified. He means not, that Bu-
 chanan fixes the seizure, just as Crawford’s Me-
 moirs and Keith do, at “ Almond-bridge;” which
 “ stands over Avon Water a short mile to the west
 “ of the town of Linlithgow,” and is sometimes
 called Almond-bridge, from a village to the *west*
 of it, but “ is now commonly called Linlithgow-
 “ bridge,” from the town of Linlithgow to the *east*
 of it †. He means only, that Buchanan fixes the
 seizure at “ Almon Water,” a river, considerably
 to the *east* of Linlithgow; when Buchanan really
 fixes it, as we shall soon see, “ ad Almonis pontem,”
 at Almond-bridge to the *west* of it. Here also
 Dr. Robertson, by implication, fixes the seizure;
 saying that Bothwell “ turned suddenly towards
 “ *Linlithgow*, met the Queen on her return *near*
 “ *that place*,” and seized her ‡. And the present
 journal equally fixes it, near *this* town and at *that*
 bridge. It represents Bothwell, we see, to have
 come to “ Haltoun hard by” Linlithgow, the even-
 ing before the seizure; in order to seize her. It
 then indeed indicates him to have seized her to
 the *east* of Linlithgow, because it intimates her to
 be already arrived at Linlithgow; and because it
 makes him not to seize her till the next day, and

* i. 367.

† Crawford, 19, and Keith, 383.

‡ i. 417.

till she was set out on her journey from Linlithgow to Edinburgh. But it plainly, by a single slip of a word, indicates him to have really seized her to the *west* of Linlithgow; because it describes him, who was now at “Haltoun hard by” while she was in Linlithgow, to have actually MET her the next morning on the road. “In the morning,” it says, he “*met* hir upon the way.”

The journal thus unites two contradictions together; by settling the seizure at some place to the *east* of Linlithgow, and at some other place to the *west* of it. Just so does the second confession of Paris also act. It equally carries Bothwell to “Haltoun hard by” Linlithgow, the evening before the seizure. It equally brings the Queen from Stirling to Linlithgow, that evening. It therefore settles the seizure, of course, to the *east* of Linlithgow. Yet it plainly points in its language at Almond-bridge, as the very scene of the seizure. Bothwell is made to send the Queen a message in the evening from Haltoun, that the next day he should come to seize her upon the road at THE BRIDGE, “*sur le chemin AU PONT* *.” Linlithgow or Almond bridge would naturally be denominated *the* bridge, at Linlithgow or at Haltoun. Nor is there any bridge at all to the *east* of Linlithgow, for many miles. And therefore the words AT THE BRIDGE, as spoken at Haltoun and as sent to Linlithgow, cannot possibly be the designation of any bridge, but that between Almond and Linlithgow. Accordingly Buchanan says of Bothwell,

* Goodall, ii. 84.

that,

that, “ad Almonis (*ut convenerat*) pontem, Regi-
“nam opperitur *.”

Buchanan

* Hist. xviii. 356. It has been suggested that the “Almond-
“bridge,” here mentioned, is the bridge over the Cramond; a
river, which is written sometimes *Almond* but generally *Amond*,
is the “Almond Water” of Goodall, *Amond Water* in reality,
and the very “Awand Water,” I doubt not, at which Queen
Mary from Edinburgh in 1565 orders the inhabitants of Lin-
lithgow to “meet” her, on Sunday by twelve o’clock (Keith,
312); and which is crossed at *Amond Ford* near Kirkliston,
about eight miles from Edinburgh, by the road to Linlithgow.
The “Haltoun,” here also mentioned, has been equally sug-
gested to be *Hatton*, a seat of the Earl of Lauderdale’s, to the
east of the Cramond, and about three miles to the left of the
road. Yet both these suggestions are clearly mistakes. The
reasons above show them to be so. But the mention of “Hal-
“toun” additionally shows it. “Haltoun” could never be
melted down by any provincial elisions of speech, into *Hatton*.
Into *Hauton* it might, but not into *Hatton*. Nor is the name
of Lord Lauderdale’s house written otherwise than *Hatton*, in
the very records concerning it (Douglas’s Peerage, 396). The
place is also said expressly in the journal, to be “Haltoun
“hard by” Linlithgow. It cannot therefore, in any propriety of
construction, be *Hatton*; a house, about *eleven* miles from Lin-
lithgow. Nor can it be so, in any conformity to the move-
ments of the journal. Bothwell, says the journal, went *from*
Edinburgh to “Haltoun hard by” *Linlithgow*; when, accord-
ing to this Dutch comment, he went to a place, that was *not*
“hard by” either, was really *as near* to Edinburgh itself as
to Linlithgow, and, as being only *nine* miles from it, even
nearer. So ridiculous in every light, do these suggestions ap-
pear on examination! Common-sense indeed must convince us
at a glance, that a place “hard by” Linlithgow must be one
nearly adjoining to the town. And this *of itself* fixes the “Al-
“mond-bridge” to be where I have fixed it, at the only *bridge*
that ever appears to have been so denominated, and in the grand
pass over the Avon at Almond, a little to the west of Linlith-

Buchanan thus fixes the seizure at Almond-bridge, to the *west* of Linlithgow, and about a mile from it. The journal fixes it *near* Linlithgow, in fact to the *east* of it, but in language to the *west*. The confession fixes it equally near Linlithgow, and equally in language to the *west*, but in fact to the *east* of it. Yet after all comes an author, who, from his own account of his own conduct, appears

gow. The other place also has hitherto escaped observation, from the disguise which is thrown round the name, by writing it from the provincial pronunciation (see other names so written, in Appendix N° xvii). “Haltoun hard by” Linlithgow, is only Walltoun about two miles to the right or north of it, with the initial *W* omitted in the writing; and the seat, I suppose, of that “Laird of Hawton,” whom Bothwell “relieved of grit “trouble” (Knox, 396). Just so our Isle of *Wight* was called *Vectis* and *Ictis* by the Roman Britons; the Saxon river *Wusa* is now the present *Ouse*; *Wool* is *Gulen* in Wales, *Ull* in Yorkshire, *Ollann* in Ireland, and smuggling it is *Owling* in our statute-book; the Saxon *Wase*, for mud, is now *Ooze*, the Saxon *Waar*, for sea-weed, is *Weir* in Northumberland, *Wore* in the Isle of Thanet, and *Ore* in Cornwall; and *I will* is every where *I’ll* colloquially. And we have exactly the same modification of a name, in a village closely adjoining; *Wall* being sometimes written *Gual* and sometimes *Al*, and Penwaltun or Kynwaltun being pronounced formerly Penneltun, and now Kenneilton. This village, says Bede himself, “*sermone Pictorum Peanfabel, “linguâ autem Anglorum Penneltun, appellatur*” (Hist. i. 12. Smith); or, as Nennius more correspondently with the modern name informs us, was called by the southern Britons “*Pen-“gaaul, quæ villa Scoticè Cenail, Anglicè verò Peneltun, dici-“tur*” (c. xix). This was so called, from being at the eastern head of Severus’s wall; as at the western is what Bede calls the “*urbs Al-cluith*” of the Britons, “*quod linguâ eorum signifi-“cat Petram,*” he should have said, *Murum*, “*Cluith*” (ibid); meaning the wall or rampart on the Clyde, as Dunbarton is at present.

to have been equally a rebel with Buchanan*, though a thousand times less dishonest and envenomed than he; even Melvill, who was actually present at the seizure: and settles it to have been made, in the Queen's "back-coming" from Stirling, "betwixt Lithgow and Edinbrugh †." And, last of all, comes a rebel act of parliament, even "Murray's act of forfeiture against Bothwell;" the highest of all rebel authorities, from its dignity as a parliamentary memorial, and from its proximity to the main fact itself; which agrees with Melvill, which at once contradicts and agrees with the confession, at once contradicts and agrees with the journal, and directly contradicts Buchanan. It settles the seizure to have been betwixt Linlithgow and Edinborough. But it carries it near sixteen miles from Linlithgow. It transfers it into the immediate neighbourhood of Edinborough. It fixes it at "Foulbrigs," a bridge "about half a mile west from the castle of Edinburgh ‡." So varying and so contradictory could the rebels be, concerning an incident very recent in its date, very remarkable in its nature, very momentous in its consequences, and happening in the vicinity of the capital!

We have seen an equal uncertainty before, in a fact almost equally recent and remarkable, of al-

* See also Goodall, i. pref. xviii.—xxvii.

† P. 79.

‡ Goodall, i. 124, and 367. The words of the act are these: "In viâ suâ, inter Linlithgow et opidum Edinburgi, propé pontes vulgò vocatos *Foul Briggs*" (see Black Acts, Dec. 20th, 1567).

most as great moment in its consequences, and almost as much in the vicinity of the capital; the route of the Queen from Glasgow to Edinburgh, with the King. Each serves to reflect a strong light upon the other. And this reflects a peculiar light upon that. The uncertainty of the rebels concerning both, results not (strictly speaking) from any carelessness in them. It was no real uncertainty. They could not be uncertain, at a period so very near to the facts; what route the Queen took with the King, and at what place the Queen was seized by Bothwell. They plainly knew the latter. They undoubtedly knew both. But they found themselves compelled, to bend the straight line of truth, into the curves and twistings of their own villainies. And they were only careless, in not making the curves all upon one side of the line, in twisting sometimes upon one and sometimes upon the other side, and so exposing their forgeries by their inconsistencies.

The Queen, no doubt, intended to return from Stirling to Edinburgh, just as she went from Edinburgh to Stirling, in one day. In executing this intention, she was naturally seized by Bothwell about half way between both towns, and at a pass over a considerable river there; at that pass, at which John, son and heir to Matthew Earl of Lennox, was met and slain by a party under the Earl of Arran, a few years before*. Hence Buchanan's History, Crawford's Memoirs, and Dr. Robertson's Narrative, all agree in fixing the seizure at Lin-

* Keith, 30.

lithgow-bridge. Hence the journal speaks of Bothwell's "meeting" her; even when it tells of her being at Linlithgow, and of his being at "Haltoun hard by," the evening before the seizure. And hence also the confession intimates his seizing her "au pont," even though it has already brought her over the bridge, and already lodged her at Linlithgow, on this side of it. The truth would mix with the mass of fiction, and spoil it.

So it equally was, I apprehend, with the Queen's route from Glasgow with the King. She returned not the way she went, the usual way by the round of Stirling. She returned by the short and straight road, that was once taken and still runs through Hollytown, xi miles, Whitburn xii, Livingston vi, Mid-Calder iii, and Edinburgh or Craigmillar about xii, in all 44 or 45. For this reason, her intended return from Glasgow to *Craigmillar* is announced twice in the first letter. For this reason also, her intended return to Craigmillar *in a single day*, is equally announced in the second. And, for this too, neither the one nor the other annunciation is ever recalled, or ever contradicted, in the third and fourth.

But the same principle, which induced the journal to lodge the Queen at Linlithgow on her journey from Stirling, equally impelled it to lodge her there before, on her route from Glasgow. Bothwell was made at both periods, to send a message to the Queen at Linlithgow, in order to shew her concurrence with him in both the facts, that were respectively transacted just afterwards; in the murder of her husband, and in the seizure of her own person.

son. Accordingly the journal tells us, that “the
“ Quene broucht the King to Linlythgow, and
“ there remained all morn, quhill she gat word of
“ my Lord Bothwell.” It also informs us, that on
her journey from Stirling “she came to Linlyth-
“ quow, and Bothwell came to Haltoun hard by;”
and that “in the morning” he “met hir upon the
“ way, seamit to ravish hir,” &c. And one uni-
form plan of imposition, is evidently carried on in
both.

But let us attend to a very striking circumstance,
in the journal-narration here. This will show the
plan of imposition, to be still more plainly the same.
The journal says, that, at the Queen’s *former* lodg-
ing in Linlithgow, she staid there “all morn” the
next day, till she heard concerning Bothwell “be
“ Hob Ormestoun, one of the murtheraris.” But
the second confession of Paris says, that, at the
Queen’s *latter* lodging in Linlithgow, “Monsieur
“ d’Ormeiston” came to the Queen there from
Bothwell. This is clearly the same visit, applied to
one route by the confession, and to another by the
journal. Accordingly, the journal takes no notice
of the visit in the confession. Nor does the con-
fession take any notice of the visit in the journal.
Each takes a man of the same name of Ormeiston,
sends him with a message from the same Lord, car-
ries him with it to the same Queen, and makes him
deliver it to her at the same town. Yet *this* refers
it to the journey in February, and *that* to the
journey in May. As therefore the one is a witness
against the other for the visit, so their contradiction
in the dates effectually destroys both. And all
shows

shows the lodging at Linlithgow in either journey, which was made purely for the sake of introducing this visit at either, to be just as fictitious as the visit itself.

But let us examine the progressive accounts, in the journal and in the confession. Let us examine them separately. Let us examine them in conjunction. And then we shall see this important truth, still more clearly.

By the route in the letters, the King and Queen reached Craigmillar in one day, Monday, January the 27th. The Queen staid with him there, on Tuesday and Wednesday. And on Thursday she went to Edinburgh with him, to be blooded herself, and to lodge him at Kirk-a-field. This I believe to be the route really pursued by the Queen, and really meant by Crawford's Memoirs, in saying the King did "travel (though *slowly*) to Edinburgh*." The journal therefore, when it delineated the course and the stages so differently from this, in order to prosecute its own purposes; was obliged to stop the King and Queen upon the road in such a manner, as that they should not get to Kirk-a-field by its route, sooner than they got thither by their own. Thus, though it brings the King and Queen on Monday, Jan. 27, "from Glasgow to the Kalendar;" that is, from Glasgow to Stirling, 30 miles, and from Stirling to Kalendar near Falkirk, about 20 miles more, in all about 50, and 5 or 6 farther than the direct route of the

letters on the very same day ; yet it is *no less than three days afterward*, in carrying them the remaining 25. And what are the pretences made use of, for this hasty travelling on the first day, and for these dilatory motions on the other days ? There is no reason assigned for *that*. The only reason was, no doubt, that the King and Queen actually took a journey nearly as long, though by a different route, the very same day. But, for the slow progress afterwards, these are the assigned reasons. She “remained” at Linlithgow “all morn” of Tuesday, Jan. 28th, says the journal ; “*quhill* she gat word of my Lord Bothwell his returning.” This then was the reason for her stay “all morn.” But what sort of a reason is this ? What had Bothwell’s return to do with her journey ? How could his return either hasten, or impede, the progress from Linlithgow to Kirk-a-field ? Yet it was not his absolute return, that was now announced to her. No ! It was only his returning. And it was only his returning “towards” her ; and not “towards” her at Linlithgow, but at “Edynbrough.” She “remained all morn, quhill she gat word of my Lord Bothwell his returning towards Edynbrough, be Hob Ormiston.” Such an *olio* of impertinences is all this !

But we come to worse, than impertinences immediately. The Queen received intelligence at Linlithgow, about noon of Tuesday, Jan. 28th, “of my Lord Bothwell his returning towards Edynbrough, be Hob Ormiston.” Bothwell therefore had sent Ormiston before him, to acquaint her

of his intending to meet her at Edinburgh. But where was Bothwell gone? This very journal tells us. He set out the Friday evening before, for Lydisdale. “Bothwell this 24th day wes found, &c. and the same *nycht* tuik journey towards Lyddisdaill.” This was an expedition of about seventy miles*, over a wild and mountainous country, and in the depth of a severe and stormy winter. He therefore could not get thither till Sunday morning, or Sunday noon; nor did he set off on his return, till Tuesday. “Jan. 28th,” says the journal itself,—“the Erle Bothwell came back from Lyddisdaill towards Edynbrough.” How then could Ormestoun get before him to the Queen at Linlithgow, by Tuesday noon? He could not reach Linlithgow, 16 miles beyond Edinburgh, in less than *two long days*. Yet he reaches it in *half a day*. He comes with an account, not merely of Bothwell’s intending to return, but of his actual returning. He brought “word of my Lord Bothwell his returning towards Edynbrough.” With such amazing folly is this journal put together!

But Mary, it seems, remained all the morning of Tuesday at Linlithgow, waiting to hear from Bothwell. She stopped the King and all her attendants, for half a day; in order to hear, what when she had heard did not signify a rush, to her

* Bothwell went, no doubt, to Hermitage, his castle in Lydisdale. This, by the new road from Carlisle to Edinburgh, would run (I believe) pretty nearly thus: to Moss-paul Green about 12 or 13, Hawick 12, Selkirk 11, Bankhouse 15, Middleton 11, Edinburgh 10, in all 71. And this is the road nearest to Hermitage.

or to her schemes; and what she must know, before she had heard, would not signify half a rush to either. She heard, yet she still remained at Linlithgow. She heard, yet she still stopped the King and all her attendants. She staid to hear, and she staid when she had heard. She staid the afternoon, as she had staid the morning. She did more. She did not set off the next morning, the next noon, or the next afternoon. She staid all day again at Linlithgow. The “29,” says the journal, “she remained all day in Linlithquow with the King.” She thus went no less than 50 miles on Monday. In such a hurry was she then! But she went not one mile on Tuesday. She went not even one, on Wednesday. What then was the cause of this strange variation? A miraculous effect requires a miraculous cause. The cause indeed was truly miraculous. She had no less a reason for staying, than—to write a letter to Bothwell. “29. She remained “all day in Linlithquow with the King, *and wraytt* “*from thence to Bothwell.*” But why did she not write to him by Ormeston on Tuesday? For this plain reason, that then she could have had no pretence for staying at Linlithgow on Wednesday. Yet why did she write at all on Wednesday? Bothwell would be at Edinburgh on Wednesday night. She herself might have been there also, that night. And she could then have said more, than she could possibly write to him. Indeed there could be nothing to be said or written to him. He had only left her the Friday before, according to the journal. She had written to him no less than four times, according

according to the letters, in this interval; though he was all the while, according to the journal, in the distant region of Lydisdale. She has also pretended to hear from him, in this period; though the fact is absolutely impossible. The journal equally pretends, that she now heard from him at Linlithgow; though this is equally impossible. And her letters from Glasgow, her letter from Linlithgow, her hearing from him at Linlithgow, and her hearing from him at Glasgow, are all links of the same chain of absurdity; all carrying on the general system of forgery, and these particularly endeavouring to fill with impertinencies that void of time, which their forgeries produced in the history.

There is also the same impertinence and absurdity, in the account of the Queen's other stay at Linlithgow, which is given us by the confession. It brings "Monsieur d'Ormeiston;" not "Hob Ormiston," though it means him; but "the Lard of Ormestoun," to whom "Hob" or Robert "Ormiston" was "his fader brother," or uncle*; from Bothwell at Haltoun, to the Queen at Linlithgow, the evening before the seizure.—"La nuit," it says, "auparavant que la Royne fust ravye et enlevée du dict Sieur de Boduel,—Monsieur d'Ormeiston vint parler a la Royne bien secretement." What then was the purpose of this *very secret* visit, from this emissary of Bothwell's? NOTHING AT ALL. The Queen is obliged to send back an answer, and to expect a reply. But, instead of sending back a verbal answer to this

* Anderson, ii. 165 and 166.

verbal message, she returns a letter. And, to inflame the absurdity, she does not return it by Ormeston. No! She sends it by a fresh messenger. She sends it by Paris, though he did not well know the road to "Haltoun hard by" the town. For that reason Ormeston, who should have carried the letter, is made use of only to be the guide to Paris. And this awkward contrivance is put in practice, merely to give Paris an opportunity of deposing to this very secret visit of Ormeston's. "Là-dessus
 "la Royne rescript une lettre par le dict Paris, et
 "par ce qu'il ne scavoit bien le chemin, la Royne
 "le feist conduire par le dict Ormeston."

But Paris and Ormeston reached Haltoun. They there, says the confession, found Bothwell "en
 "bonne compagnée." He was therefore indulging himself, to be sure, in all the jollity of a jovial crew. And they were all drinking, in the noisy merriment of the times, "potations pottle-deep." But what must be the surprize of the reader, when he finds that they were not drinking at all, and that they were all *soberly asleep* together in one room. This, to be sure, was exceedingly "good
 "company" to Bothwell. This merry society of sleepers, was a number of officers *in bed about Bothwell*, he sleeping *in the midst of them*. So preposterously absurd is the *language* of this confession! "Le dict Monsieur de Boduel estoit en bonne com-
 "pagnée, et mesmes les capitaines couchoeint
 "aupres de lui et d'autres; et trouvent le dict
 "Seigneur de Boduel endormy."

Paris went up to him amidst all this "good
 "company," and awakened him. Paris then spoke

to him, unmindful of them all. They might or might not have been asleep, for any thing that Paris knew. If asleep, they might have been awakened by the same exertions, as awakened Bothwell himself. Yet Paris told him all his errand openly. He did not merely put the Queen's letter into his hands, and let that speak in silence. No! That would have been to have acted, as a *real* Paris must have acted. He therefore acted very differently. He announced it to be the *Queen's* letter. When plotters make incidents, they frequently forget those little strokes of nature, that give the genuine air to realities. And the facts of life, and the fictions of invention, are often as different from each other, as the living body is from the dead. "Luy dict, Monsieur, voyla des lettres
" que *la Royne* vous envoie."

Nor is Bothwell less unnatural, in his part of the conduct. He does not instantly check the dangerous loquacity of Paris. He does not receive the Queen's letter himself, in a cautious silence. He does not even suppress the name of the bringer, then a chamberlain to the Queen. And he does not even refrain from using the Queen's own name to him, and of sending an express message to the Queen by him, in the presence of them all. Such a dexterous manager of a plot was Bothwell! So admirably calculated was he, for carrying on an adulterous correspondence with a Queen! But indeed he was sufficiently qualified for the work, when he had only such a poor tool as Paris to work with, who could awake him with an announced letter

from the Queen, in the midst of a large company; and when he had such a Queen to work upon, who could send letters of adultery and of murder to him, without the slightest guard of a seal upon them. And he cried out to Paris, that it was all well. “He bien, *Paris*, ce dict-il.” He then rose, and ordered Paris *to lie down in his place* for a while. “Couche toy là a ung peu,” he said. So little ceremony was used, between this proud and aspiring Earl, now an adulterer to a Queen, and now going to be a husband to her; and this former domestick of his! And Bothwell says, that in the mean time he shall go to write. “Cependant,” he adds, “je m’en vays escrire.” He writes. He comes back to Paris with what he has written. He gives it to him. He accompanies it with a speech, expressly mentioning *the Queen*, as the person to whom the letter was addressed. And he does this in spite of all the “good company” around them, not one of whom has yet been awakened by Paris’s coming into the room, by Paris’s awakening him, or by Paris’s address to him; by his own opening and reading the letter, by his own rising from the bed, or by his own speech to Paris; by Paris’s lying down upon the bed, by his own going to write a letter, or by his own return with it to Paris again. Such sleepers were these bonny fellows of Bothwell’s! He had “drugged their possets well,” before they went to bed. And, in the language of that factious alderman of the second Charles’s days, they might have all *risen in the morning with their throats cut*, without being sensible

sensible of the mischief which had been done them.

“ Apres avoir escript, il dit au dict Paris, Recom-
 “ mende moy humblement a *la Royne*.”

But what need was there, let me ask, for Bothwell's writing to the Queen in these circumstances? It was requisite for the fuller evidence of her guilt, in conspiring with Bothwell for her own seizure. It could be requisite to no earthly purpose besides. And in their eager pursuit after this, the forgers left nature and common-sense behind. *For this reason*, the place of seizure is not ascertained before Mary set out for Stirling; *that she may write four letters from thence to settle it*. *For this* also, it is not ascertained in any of the four; *that Bothwell may send a message to her about it from Haltoun*. *For this* too, it is not settled by the message; *that she may write a letter from Linlithgow to Bothwell about it*. And *for this*, finally, it is not determined decisively, even by this letter; *that Bothwell may write another, that Paris may carry both it and the Queen's, and that Bothwell may make a speech to Paris, explanatory of the whole*. “ Recommende
 “ moy humblement a la Royne,” he says, “ et luy
 “ dictes, que j'iray aujourd'hui la trouver sur le
 “ chemin au pont.”

All the actors in this confession, it is observable, make formal speeches when they deliver their letters, and speeches significant of the contents of those letters. This is, of all unnatural strokes in the confession, the most unnatural. It is an absurdity too big for any depositions, except the depositions against Mary. With such verbal accompaniments,

the letters themselves are a mere superfluity; and the very carriers of the letters are as much in the secrets of the plot, as the managers themselves. But all this is in the same tone of unnatural absurdity, with a Queen's sending her letters, though adulterous in every particle of them, absolutely unsealed, by one of her male attendants. And yet all was requisite, to support the forgeries of the rebels. A speech was peculiarly requisite in the present case, because the verbal accompaniment was to stand in place of the letter itself, and *that* was produced while *this* was left *inter semina rerum*.

In this, however, Bothwell not only mentions the name of the Queen, just as Paris had done before. He goes far beyond Paris. He actually mentions his compact, to meet her the next day. He even speaks of the very place of meeting her. And he thus betrays the whole conspiracy, to every ear that listened, in all the "good company" around.

So replete with absurdity, is the account in the confession and in the journal, separately taken! But, when we come to unite the accounts in the journal, the confession, and the letters together; we see the absurdity swelling upon our hands, and mounting up into the extreme of folly.

The Queen has left Edinburgh for Stirling, IN ORDER to be seized on her return. Yet the very PLACE of the seizure has not been settled. Such a wretched conspirator, has this burlesquer of nature represented her to be! Huntly is therefore obliged to be sent after her, that she and he may settle
what

what Bothwell and she, it seems, had forgotten before. He comes, but he cannot settle it. It is the central point of the whole. Yet it cannot be settled. But where is the difficulty? Huntly had come without any credentials from Bothwell, it seems, and Mary would not trust him. So cautious was the Queen about a circumstance, though she never thought of adjusting an essential point! And so incautious was Bothwell, even when he had been guilty of such a gross neglect before! A letter is therefore sent off express by her to Bothwell, to desire *he* will settle it himself; though he had already desired she would settle it, and she might as well have settled it herself, by the very letter that required him to settle it. She needed only to have said, that it was an astonishing inadvertency in them both, not to have settled it before; and that she would now settle it at once, by saying she would take care to be at Linlithgow-bridge, by eleven on Thursday forenoon, Jan. 24th, and he should take care to be there, a little before that hour. This would have been soon said. But then this would have been, to make Mary act with one ray of common-sense. And the rebel system of forgery, would not admit of a single ray. All must be the very darkness of idiotcy itself.

Huntly accordingly returns back to Edinburgh, in order to settle there with Bothwell, what he had been actually sent to Stirling in order to settle with the Queen there; and what might have been settled without him, with the greatest ease, and in a single line from either. Yet he cannot

even now settle it. He has gone from Edinburgh to Stirling. He has returned from Stirling to Edinburgh. He has been chasing the gossamer, but he cannot catch it. He goes again to Stirling, in pursuit of it. Yet he is as unsuccessful as ever :

—— per mare magnum

Italiam sequimur fugientem, et volvitur undis.

And even three letters more are written by the Queen, without ascertaining this momentous point.

The Queen accordingly comes to Linlithgow, half way back from Stirling, by the mere stupidity of herself and of her dull gallant ; without ascertaining on what part of the road she shall be seized, though she went thither on purpose to be seized. Then Bothwell sends Ormeston to her very secretly at night, to ascertain it for some remaining part of the road. But Ormeston is as little successful, as Huntly and the letters had been before. The Queen is obliged to have recourse to another letter. For the greater security, in a case of so much embarrassment and so much importance, she will not commit it to Bothwell's messenger. She will send one of her own attendants with it. And, as he knows not the road well, Bothwell's emissary shall be his guide. In this letter, to be sure, she at last speaks out. When the gentleman is so stupid, as not to appoint a proper place for the *ravishment* ; the lady herself must step forward, and appoint it. Yet, even yet, she does *not* appoint it. An overpowering modesty still prevents her very *pen* from saying, what even the *tongue* of one, who had been
some

some months an adulteress, would have spoke plainly. And Bothwell is forced at last to write, what he ought to have written long ago. He now fixes to *meet* her the next day upon the road, *at the bridge*. She is therefore to *go back to the bridge* on the west of Linlithgow, in order to be seized there. She is even to go beyond the bridge, and then to return towards it; that he may *meet* her at the bridge. The place of seizure is thus settled at last. Mary is to set off the next morning, and Bothwell is to follow at a little distance. She is then to turn; he is to advance; and thus all her attendants, all his soldiery, and all the world besides, are to be deceived by this notable contrivance.

But in these suppositions we are too hasty, it seems. Imagination outruns the speed of these adulterous lovers. Love enjoyed lays aside his pinions. All is not yet settled between them. Another messenger is dispatched the next morning by the Queen, to adjust some circumstances yet unadjusted, about the place of seizure. This messenger is Huntly. Though so baffled before in his negotiations, he is once more employed in the work. And "April 24," says the journal, "she sent the Erle of Huntly to Bothwell in the morning." Never surely was the power of burlesque carried to a greater length than this, even in works professedly of a burlesque nature. An habitual liar, from the continual exercise of his faculties in lying, at length becomes as credulous as he is false; and pays an implicit faith in time to the
very

very productions, and even to the most monstrous productions, of his own brain.

But let me add one observation of a purely historical nature, before I close the essay. *What* day precisely did the Queen leave Stirling? On Wednesday April the 23d, says the journal. But this, I apprehend, is a mistake, and a wilful one, in the journal. She left not Stirling, I believe, till Thursday April the 24th. She was certainly *seized* the very day she left it. She did *not* sleep at *Linlithgow*, set off the next morning, and then fall into the hands of Bothwell. The rencounter between them, as we have seen already, was at Almond-bridge, on the *Stirling*, not the Edinburgh, side of Linlithgow. She was consequently seized, on her passage betwixt Stirling and Linlithgow. And this is decisively ascertained to have been done, upon Thursday April the 24th. "April 24," says the journal, "she sent the Erle of Huntly to Bothwell in the morning, quha met hir upon the way, "seamit to ravish hir, and tuik Huntly and the secretary prisoneris, and led them all to Dunbar." Nor does this date depend entirely upon the journal. It rests equally upon other authority. The rebels equally declared at York, when they presented the letters for the first time to an English eye, that "the—taking of the Quene by Bothwell, "when he carried her to Dunbar, was *the 24th of "Aprill* after the death of her husband*." But we have a third authority, equally rebel indeed,

* Goodall, ii. 141.

but much superiour to either of these from some circumstances in its nature. "Understanding," say the rebels so early as *the twelfth of June 1567*, and when the very idea of a set of forged letters against Mary, had not yet germinated in the hot-bed of a Lethington's brain: "yat James Erle Bothwele put
 "violent handes in [on] our Soveraine Ladies maist
 "nobill persoun, upon *the 24 daie of April* last by-
 "past," &c. * And as such an union of authorities fixes the day of the seizure determinately, so it equally fixes the day of the Queen's departure from Stirling. She departed from Stirling, and was seized before she reached Linlithgow, on Thursday April the 24th. But let us also attend to the evidence of the letters. Of these, there were originally *two* alone from Stirling. These therefore were calculated for Monday night, as the fifth pretends to be written at night; and for Tuesday. This was in exact conformity to the journal, by which the Queen sets off the very next day from Stirling. So far the journal and the letters compleatly harmonized together. But the harmony was afterwards broken. Two jarring strings were introduced, in the formation of two additional letters. The 7th letter was added, as written just immediately after the 6th, "sen my letter writtin," and equally upon Tuesday; while the 8th must be calculated for *Wednesday*. In the 7th, the Queen's arrival at Stirling is clearly intimated to have been *the day*

* Anderson, i. 131. The act of attainder against Bothwell, December the 20th 1567, fixes no day. It only specifies the month, "mense Aprilis ult. elapsi."

before,

before, “*yesterday*,” or Monday. And the Queen’s seizure is plainly announced, to be intended for *the next day but one*, “*after to morrow*,” or Thursday. Thus do the letters *at present*, the journal, the rebel declarations at York, and the rebel proclamation at Edinburgh, all concur to fix the seizure of Mary, and consequently her departure from Stirling, on Thursday the 24th. But the letters, by deviating at once from their own plan and from the plan of the journal, now stand in a clear contradiction to the journal itself. Those make the Queen to stay at Stirling on Wednesday, while this carries her on Wednesday to Linlithgow. The Queen’s departure from Stirling, which was on Thursday the 24th, was originally thrown back by these bold artificers of history, to Wednesday the 23d; in order to serve their purpose of multiplying the evidences of Mary’s guilt, of bringing Bothwell to “*Haltoun hard by*” Linlithgow on Wednesday, and of sending Huntly to him the next morning. Yet this plan was afterwards abandoned in the letters, even while it was still pursued in the journal; for the sake of substituting some forged writings in the room of these fabricated incidents, and of creating for her a couple of letters more from Stirling. And thus the letters returned back to the forsaken line of truth in the day of the departure, and left the journal persisting in its original deviation; the right line of those exposing more clearly the crooked line of this, by having been once as crooked itself as this, and by now running straight along the curving side of this.

The

The journal, the confession, and the letters, were all fabricated on the same principle, and with the same view. They were to serve the purposes of a party, that could only be served by daring falsehoods. Truth therefore was discarded in all. Realities yielded the place to fictions. And history was accommodated to convenience. The journal particularly was drawn up for the formation of the *Detection*, as well as of the letters; for that infamous fardle of the most extravagant calumnies, as well as for these convicted forgeries against Mary. The journal as frequently refers to the *Detection* in silence, as it professedly does to the letters. It was therefore drawn up originally for the construction of both *. And it accordingly partakes of the falsity, the folly, and the impudence, of both †.

* Not *from* Buchanan's papers, as Keith, 384, unthinkingly states the point; but *for* them.

† In June 1568, Elizabeth "did speidely send a gentleman " of hers, named Mr. Henry Middlemore, ane of good understanding and credit, with hir lettres to the said Quene" Mary (Anderson, iv. part i. 13). This was on June the 8th (Murdin, 765). Middlemore accordingly reached Carlisle and the Queen, on June the 12th (Anderson, *ibid.* 77). He entered Scotland the 15th; and came to Murray that day at Dumfries, who was there at the head of his army (*ibid.* 93—94, and 14). And yet "MAY 15th," says the journal, when it should be JUNE 15th, "Master Middilmoir, sent from the " Quene's Majestie, causit my Lord [Murray] from thence— " furth absteyn from armour and violence." And this compleats our evidence of the *carelessness*, with which this journal was originally composed; even where the hand of *knavery* has not been apparently at work, upon it.

N° XI.

MURRAY'S INSTRUCTIONS TO ROBERT COMMEN-
DATOR OF DUNFERMLING, HIS EMBASSADOUR
TO THE ENGLISH QUEEN, OCTOBER 15, 1569.

" We produced to the Quenis Ma-
" jestie of Ingland's commissioneris,

" 1. The namis of the estatis of this realme
" convenit at Edinburgh in the month of Decem-
" ber MDLXVII. — — —

" Item, We producit eight letteris in French,
" written be the Quenis awin hand, and sent to
" James sumtime Erle of Bothville.

" *Item*, A little contract or obligatioun, written
" by the said Quenis awin hand, promising to marry
" the said Bothville.

" Item, An uther contract written by the Erle of
" Huntlie's hand, of the date the v. of April 1567.

" Item, The depositiounis of the persounis who
" wer airt and part of the murder, and wer executed
" for the famin *."

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* From Goodall, ii. 84—88.

N^o XII.

ANE LETTER PRESENTIT BE THE BISHOP OF ROSS,
TO THE QUENE'S MAJESTIE OF ENGLAND, FOR
INFORMATIOUN, AND DEFENCE OF THE QUENE'S
MAJESTIE OF SCOTLAND.

.....
 " For the alledgit writingis, in form of
 " missive letteris or epistles, quhilk makis na faith
 " speciallie, quhair, in the famin, no word is dispo-
 " siting or giving exprefs command, as in this may
 " be sene; and als wa thay are not subscrivit be the
 " alledgit writer thair of, nor seillit nor signetit, and
 " contain na dait of zeir, moneth, or day, nor zit
 " direct to na man; and in the famin thair is na
 " mentioun maid of ony beirar, as is alledgit, quha
 " was never zit knawn, as did receive thame fra
 " hir, or deliver thame at hir command, to ony
 " uther in the world.

.....
 " Presentit the xvii. of December 1568 *."

AN EXTRACT FROM THE BISHOP'S PUBLISHED DE-
FENCE OF QUEEN MARY'S HONOUR.

" NEVERTHELESSE, when you [Murray,
 " &c.] have taken your best advantage you can of

* From Queen Mary's Register, Cott. Lib. Titus, c. 12.
Goodall, ii. 389.

" them,

“ them, such kinde of letters missive and epistles;
 “ especially not conteining any expresse commaunde-
 “ ment of any unlawful acte or deede to be com-
 “ mitted and perpetrated, not ratifying or specify-
 “ ing the accomplishment of any such facte already
 “ past, but by unfure and uncerteine ghesse, aymes,
 “ and conjecturall supposinges; are not able in any
 “ wise to make a lawful presumption, much lesse
 “ any good and substantial proufe, not only against
 “ your Soveraigne and Prince, but not so muche as
 “ against the poorest woman, or simplest wretched
 “ creature in al Scotland. But yet, say
 “ you, they are her letters. She denieth, and we
 “ denie them too. There is neither subscription
 “ of the writer, nor superscription unto whom they
 “ were directed: they are neither sealed nor sign-
 “ ed; there appeareth neither date, wherein the
 “ were dated, neither day nor moneth. There is
 “ no mention made of the bearer, who is, as it may
 “ be supposed,—the man in the moone. He was
 “ never yet knowen nor herd of, that did either
 “ receave or deliver them. For as for him that
 “ ye surmise was the bearer of them [Paris], and
 “ whome ye have executed *of late* for the said mur-
 “ ther, he, &c. * ”

This work was written originally, says Alexander
 Harvey a servant of the Bishop's, upon his ex-
 amination April the 18th 1570, “ about twelve

* P. 17—19, Anderson, i.

“ months

“ months before, by the Lord Hereys and Lord
 “ Boyd and the Bishop of Ross; as his master the
 “ Bishop told him.” Or, as the Bishop says more
 circumstantially himself, “ the Book of the Defence
 “ of the Quene’s honour Thomas Busshop made,
 “ at the information of the Lord Harris, before
 “ this Examine’s comyng into England,” to the
 conference at “ York in October 1568; and that
 “ booke was reformid and encreased by Thomas
 “ Busshop, this Examine, Lord Harris, and others,
 “ at the conference at Westmynster *.” It was be-
 gun, therefore, just before the conference at York,
 in the month of September 1568; and was altered
 and enlarged during the conference at Westminster,
 in the months of November and December after-
 wards; by these the most active and vigourous of
 Mary’s commissioners, and by Thomas Bishop act-
 ing as secretary under them: Lord Boyd leaving
 London December the 22d †, Lord Harris and
 the Bishop leaving it February the 4th ‡, all meet-
 ing again at the Queen’s prison of Tutbury in
 Staffordshire on February 9th ||, and thence sepa-
 rating soon for ever ¶. But, says the servant again
 on the same authority, “ it had lain ever since by
 “ the Bishop, to be amended as occasion should
 “ serve **.” It was accordingly amended, by re-
 ceiving several additions. Among the rest was a
 reference to the dying speech of Paris, who was

* Goodall, ii. 93 and 353, Murdin, 52 and 29. † Good-
 all, ii. 278, and 314. ‡ ii. 333—336. || ii.
 367. ¶ ii. 368, and Lesley’s Negotiations, 42—43.
 ** Anderson’s pref. iv.

not executed before the August succeeding*. And Murray, in his instructions of October the 15th following, says just as the Bishop says here; that “Paris, a Frenchman,—was present at the committing of the murder, and *of late* execute to the death for the famin †.” For these reasons, the work declares itself to have been “imprinted at London in Flete Strete, at the signe of Justice Royall against the Black Bell, by Eusebius Dicoeophile, Anno Dom. 1569 ‡:” not absolutely in 1569, as we *now* make our computation of time, and as this has always been interpreted to mean; but, as appears from what I have just said, in that part of 1570 which was then reckoned into the year preceding. It was sent to the press, adds the servant, by “his master the Bishop *about* Easter then last,” and yet *before* the 25th of March. The first page, which carried the fictitious name of the printer as above, and the last, which repeated the fictitious name again, on that account were equally dated in 1569; because the last and the first pages, I believe, always formed a single sheet in a pamphlet then, and therefore were always printed off as the last sheet of the whole ‡.

The last gave the same account of the printer as the first, and then subjoined these words concerning the bookseller; “and are to be sold in Paul’s

* Goodall, ii. 76. † Ibid. 88. ‡ Anderson’s pref. v.

|| So, “the first edition in French” of Mary’s pretended letters, “bears *in the title-page* and *at the end of the book*,” that “the printing of it was finished upon the xiii. day of February 1572” (Goodall, i. 104).

“ Church Yearde, at the signes of Tyme and
 “ Truthe, by the Brasen Serpent, in the shopes of
 “ Ptoleme and Nicephore Lycosthenes, brethren
 “ germanes *.” A vindication of Mary would so
 little be relished by the defaming genius of Eliza-
 beth, in the opinion of a bishop who knew her
 well; that, though he inserted “ some sentences”
 in it “ very full of respect and honour towards Q.
 “ Elizabeth †,” yet he dared not to prefix his own
 name, the name of the printer, or the name of the
 bookseller, to it. Nor was he mistaken in his
 judgment. “ Before eight leaves could be finish-
 “ ed” at the press, says Cecil himself, glorying in
 the dexterity of his oppressiveness; “ intelligence
 “ was had” of the work. The bishop was sus-
 pected to be the author. A servant of his was
 seized. He betrayed his master. And the book,
 which by this time had been printed and published,
 was violently suppressed ‡. Such was the steady
 villainy, with which Elizabeth and Cecil endea-
 voured to destroy the reputation of Mary; to draw
 down the basest imputations upon her; to patronize
 every private and publick calumny against her;
 yet to debar her from all private refutation of the
 charges, and to preclude her from all publick vin-
 dication of her innocence!

In consequence of this, the Bishop’s defence of
 his injured mistress was forced to be carried abroad,
 and printed at a foreign press. Neither England
 nor Scotland, at this period, would suffer any writ-

* Anderson’s pref. vi.

† Ibid. xii.

‡ Ibid. iv. and v.

ing to be published in her favour. So much did the rebels, and their associates, dread the force of proclaimed truth, and the energy of asserted innocence! The work was re-printed at "Liege, by "Walter Morbers, 1571." But even yet the Bishop could not venture to avow it, with any safety to himself. He himself was still in England. The fell spirit of malignity in Elizabeth, was only inflamed by the hand of time. And the vindication pretended itself to be "made, by Morgan Philippes, "bachelor of divinitie," An. 1570*." The long arm of Elizabethan tyranny, however, was able to reach the Bishop behind all his guards. Some copies of this second edition being sent to England, they were seized immediately on their landing. The second edition was suppressed, like the first. And a copy of either is become very scarce at present †. So very studious, and so nearly successful, was this wretched woman; to rob posterity of all true information concerning Mary, and to deliver us over to the delusions of her own and Murray's impostures!

But she did more than this. She seized the Bishop. She threw him into prison. She minded not the sacredness of his character, as an ambassador. He had been intriguing with her discontented subjects. He had been publishing what she did not like. *Her* embassadours, however, had been uniformly and invariably intriguing with Mary's subjects in Scotland, and yet had never been

* Anderson's title-page, and pref. vi.

† Anderson's pref. vi.
seized

seized and never been imprisoned. But Elizabeth was too violent, to observe any measures of equity in her conduct. *Her* embassadours might foment rebellions in Scotland, yet Mary's should not in England. Mary's should not even presume, in any publication whatever, to justify their calumniated Sovereign. He was repeatedly examined in council, therefore, concerning his intrigues and his book *. Even one Cockyn, his bookseller, and one Good, his physician and friend, were equally examined concerning the latter †. He was kept in the tower for many months, under very strict confinement, and in continual expectation of death. He was actually doomed to death. All the laws of nations were daringly trampled upon, by this Grand Seignior of the sex. But in January 1574 he was at last released, on the pressing solicitations of the King of France. He retired immediately into his dominions ‡. And there, at Rheims, in 1580 he re-published his work in Latin, *prefixed his own name to it*, and declared it to have been “first compiled by *him* in English, while he was embassador in England for Q. Mary, and now translated by *him* into Latin §.” He therefore was the composer of the work. The lords Boyd and Herris only supplied facts and circumstances. It was first begun “at the information of the Lord Harris.” It was afterwards “reformed and increased” by the

* Anderson, vii. and viii. † Ibid. xi. ‡ Lestæi Vita, 6—7, Anderson, 1; and Negotiations, 166—167, 192—194, 196—197, 230, 244, 245, 246, 248, and 251—252, Anderson, 111. § Anderson, viii.—ix.

Bishop, under the instruction of “the Lord Harris and others.” Mary also, as appeared on Good’s examination, made some corrections and additions to the whole. It was, says Anderson, “returned to the Bishop *corrected*, with *some notes by the Queen to be added thereto**.” And all contributed to form a vindication of Mary, that has a very great share of merit; that might have been sufficient of itself, in the eye of calm reason, to have saved her honour in the first moments of assault upon it; and has proved a very useful storehouse of arguments, to all the vindicators of her reputation since.

The book, however, was little known. The very scarcity of copies must necessarily occasion this. And how can an author convince, unless he is read? At last however, no less than 157 years after its first publication, Mr. Anderson, an enemy to Mary, and, as almost all her enemies have been, an unfair one; very ingenuously re-published the work in his collection of papers, 1727. It has thus become generally known and admired. The more it is known, the more it will be admired. It is actually serving the cause of Mary very powerfully, at present. And her friends must ever own their obligations to Mr. Anderson, for furnishing them with it.

He saw that the Bishop had followed chiefly the *second* edition, in his Latin publication of it at Rheims. This is fuller in the preface than the first, and has all the compliments to Elizabeth very

* Anderson, xi.

properly retrenched in the work itself. And therefore Mr. Anderson followed it entirely in his *.

Lesley's Defence of Mary, then, was principally written by the Bishop, *while* the conferences were *proceeding* at Westminster. But its opposed work, Buchanan's Detection, was all written *before* those conferences were *opened*. This is plain from the prefatory words of it. "A greit part of this greif
" is relevit," it says *to* Elizabeth, "be zour equitie
" (maist excellent Quene); quha tak it na les dis-
" plesandly to se zour kinniswoman, than we to se
" our Quene, thus in speiche of all men to be dis-
" honorabillie reportit; quha als wa ar for zour part
" na les DESYROUS to *understand the treuth*, than we
" for ouris to *avoide sclander*. *Thairfoir* we will
" knit up the mater als breifly as possibilly may
" be †." When this sentence was written, as Elizabeth is said by it to have been yet *desirous* to understand the truth, and the rebels are equally said to have been yet *desirous* to avoid slander; the conferences had not yet begun at all. They begun at York. They ended there. They begun again at Westminster. There, *at the very time the letters and sonnets were produced*, was produced the finished Detection of Buchanan. Murray, says Camden, exhibited to the commissioners at Westminster
" certaine love-letters and verses, written (as he af-
" firmed) with the Queen's own hand;—and Bu-
" chanan's book, intituled the Detection, he delivered

* Anderson, ix, xii, and xiii. † Ibid. ii. i, and Jebb, i.
237.

“ *to them to reade*; which found small crèdit with
 “ the greatest part of the commissioners, he being
 “ a man partial on that side, and of mercenary cre-
 “ dit*.” This infamous work must have been
 also presented to Elizabeth at the same time, as to
 Elizabeth it is formally addressed. Accordingly a
 publication, still nearer to the time than Camden’s,
 and made by Cecil himself, informs us; that the
 Detection was written by Buchanan, “ not as of
 “ hymselfe, nor in hys owne name, but *accordyng to*
 “ *the instructions to hym given, by common conference*
 “ *of the lordes of the privie counsel of Scotland*; by
 “ hym onely for hys learnyng penned, but *by them*
 “ *the mater ministred* ;” and that it was “ *overseen,*
 “ *and allowed, and exhibited by them,* as mater that
 “ *they have offered, and do continue in offeryng, to*
 “ stand to and justifie, before OUR SOVERAIGNE
 “ LADIE, or her Highnesses commissioners in that
 “ behalfe appointed; and what profe they have
 “ made of it already, when they were here for that
 “ purpose,—all good subjectes may easely gather
 “ by our said SOVERAIGNE LADYES procedyng
 “ fins†.” And Mr. Goodall speaks of “ a written
 “ copy—, which is thought to be the very copy
 “ that Buchanan presented to Queen Elizabeth ;”
 and out of which he cites a passage, though he does
 not tell us where he saw it ‡.

Thus

* Annals, Transf. 117, and Orig. 144.

† Goodall, ii.

377.

‡ Ibid. i. 327. I naturally supposed it to have
 been seen by him in the advocates library at Edinborough. But,
 on inquiry from Mr. Tytler, I find he himself knows not of it.

And

Thus were Lesley's Defence, and Buchanan's Detection, the *manifestoes* of their respective parties. The former was written in November and December 1568; and the latter about August before, *at the same time with the sonnets and the contracts*. The former received some additions afterward; and so mentioned the death of Paris, which happened in August 1569. The latter equally received some additions; and noticed the murder of Murray, which was perpetrated in January 1570. And, if the copy mentioned by Mr. Goodall be the very copy presented to Elizabeth, it can have no allusion to this murder in it.

A dispute has arisen, whether Buchanan ever repented of writing this work against Mary. The point however, in my opinion, is not to be disputed. He plainly, I think, repented. But he did not do so to any vigorous effect, till the very last days of his life. Only a month before his death, he published his History; there repeated most of his impudent slanders upon Mary again; and added to them many hundreds more, upon her and others*. So long did he persist in that dreadful course of abusiveness, which he had commenced in his Detection! But he repented very strongly afterwards. His "atheism" and his "lewdness" impelled him steadily on, in spite of incidental fits of repentance; while health admi-

And Mr. Brown, the keeper of the library, declares it is not there. He had received extracts from many papers, which he reserved for an intended Life of Mary, and on which therefore he only glanced in his present work.

* Goodall, i. 134.

nistered

nistered spirits, and life averted vengeance. But, when age and sickness came, his wretched supports failed him. The poor gratifications of the body shrunk up into nothing in their influence, before the advances of age. And the flimsy suggestions of scepticism; those loose and wild reveries, that are ever hovering about the head of systematic profligacy, and are indeed the necessary preservatives of the guilty mind from despair; all are swept away before the hand of death, as the cobwebs of the morning before the rising storm. In a period of universal religiousness, the mind of Buchanan must have been too strongly impregnated with the hopes and fears of Christianity, not to feel them bursting out with increased energy upon his spirits, at the approach of death. He awakened at once from the delirium of profligacy, to the mournful realities of his situation. He was now at that awful period of his existence, at which probation was to terminate, and remuneration to begin. His enormities of slander against Mary, rose with a peculiar dreadfulfulness before his soul. He lamented them openly and vigourously. He wished for longer life to recal them. And he expressed his willingness even to shed his blood, if God would allow him time, in atonement for the wrongs which he had done her.

All this is substantially related to us by his contemporary Camden, a man of the first character for veracity, and a writer of the first rank for information. Buchanan, he says in his Annals, “*sighing*” and *sorrowing* [ingemiscens], *sundry times* [sub-
 “inde]

“ inde] blamed himself (as I have heard), BEFORE
“ THE KING, to whom he was school-master, for
“ that he had *employed his pen so virulently against*
“ *that well-deserving Queen:* and UPON HIS DEATH-
“ BED” [at his death, moriens] “ wished *he might*
“ *live so long*, till, by recalling the truth, *he might*,
“ even with his *bloud, wipe away those aspersions*,
“ which he had by his bad tongue unjustly cast
“ upon her; but that (as he said) it would now be
“ in vain, since he might seem to dote for age*.”

Camden indeed mentions this awful anecdote, with a seeming limitation of the reader's faith, by his referring to verbal information for the truth. Yet this is only a seeming limitation. It respects only that repentance of Buchanan, which was professed to the King in the hour of health, and came antecedent to the repentance of his dying moments. His sorrow *then* wanted the invigorating presence of death, to make it strong and powerful. He “sighed” to the King. He “sorrowed” before him. He did both “fundry times.” Yet he still went on in bold and impudent fictions of slander. He wrote and he published his History. But, when he saw the hand of death upon him; and eternity stood before him, arrayed in all its flames, and armed with all its scorpions; he felt his former sorrows returning upon him, more violent from their obstruction before, and he found himself overwhelmed with his own remorse.

Nor can any doubt be entertained, even of those

* Annals, Transf. 88, Orig. i. 110.

“ compunctious

“compunctious visitings of nature,” which were so ineffectual in themselves, and are founded upon oral authority by Camden. Camden, who could best judge, believed them to be true; or he would not have reported them. “I have myself,” he says in his prefatory address to the reader, “seen
 “and observed many things, and *received others*
 “*from credible persons* that have been before me,
 “men who have been present at the transacting of
 “matters, and such as have been addicted to the
 “parties on both sides, in this contrariety of reli-
 “gion: all which I have in the balance of mine
 “own judgment (such as it is) weighed and exa-
 “mined, lest I should at any time, through a be-
 “guiling credulity, incline to that which is false*.”

And Camden received his account of Buchanan’s earlier touches of remorse, mediately or immediately, from King James himself. James, a few years after his elevation to the throne of the whole island, appears very naturally solicitous for the rescue of his mother’s character, from the forged slanders of her rebels. He particularly employed Isaac Casaubon in 1611 to write to Thuanus, on the falsehoods in his History, which Thuanus had adopted from Buchanan. Casaubon’s letter is still preserved. “Iniquissimo,” he says, “fert animo Rex,
 “alioquin æquissimus, te in opere contexendo a
 “certis hominibus deceptum, et extra veri regio-
 “nem longé abductum, de gloriosissimi nominis
 “Reginâ, semper venerandâ sibi parente, ea per-
 “sæpe in literas retulisse,—*quæ scit ejus Majestas,*

“*et scit certissimé, falsa esse.*”—“*Solet serenissimus Rex,*” he adds,—*de immanitate temporum, et rerum omnium confusione, multa narrare et mira.*—“*Visum est Regi piissimo faciendum,*” he tells him, “*ut accuratam, certam, et verissimam historiam rerum illarum curaret componendam, et ad te mittendam.*” This was to be drawn up by Sir Robert Cotton. Sir Robert was even then drawing it up. “*Rex ipse,*” as Casaubon subjoins, “*quo nemo est hodie callentior istarum rerum, singula recenset, atque ad exactissimam veritatis trutinam exigit.*” The whole was compleated soon afterwards. And Thuanus, in a letter to Camden himself two years afterward, acknowledges to have received Sir Robert’s “*Memoirs,*” which had been sent him by the King’s order in two successive packets, and carried down the history to 1582*. These *Memoirs, whatever is become of them now,* Camden perused, no doubt, among those other papers in Sir Robert’s library; to which, and to the personal informations of the owner, he pays so strong a compliment as to say, that, if the reader finds either profit or delight in his *Annals*, he must ascribe it to these communications †. From these *Memoirs*, or rather from these reported conversations of the King to Sir Robert and others, he certainly derived his intelligence, concerning Buchanan’s expressed contrition to the King himself. And the asserted fact stands firm, upon the credit

* Ruddiman’s preface to Buchanan, xii. and xiii.

† Camden’s preface.

of Camden the reporter, and upon the authority of King James the relater.

But the other part of the narrative, the account of Buchanan's dying penitence, stands even more firm. It is given by Camden, without any reference to information at all. It appears, therefore, without the slightest shade of doubt about it. Buchanan, he says, "upon his death-bed" [at his death, moriens] "wished he might live so long, till, by recalling the truth, he might, even with his blood, wipe away those aspersions, which he had by his bad tongue unjustly cast upon Mary." And he accordingly repeats in another place the substance of what he has here said, and equally without any restrictions of reference. Buchanan, he tells us under 1582, "NOW WITH SORROW REPENTED" [the words of the original are much stronger, DOLENTER INGEMUIT, when the word before was only *ingemiscens*, the deep sorrow of the dying moments being expressively raised above the lighter sorrow of the hour of health], "that he had formerly maintained the cause of factious people against their princes; and SOON AFTER DIED," paulò post obiit*.

All these passages unite to form an account, too clear to be darkened by the doubts, that have been raised against it, and too pointed to be blunted by the opposition, which has been made to it. Whatever the friends and the enemies of Buchanan, have strangely conspired to insinuate against it †; what-

* Transf. 275, Orig. 332.

† Goodall, i. 134, Stuart, ii. 177, Jebb, i. preface, and Buchanani Vita, Ruddiman, xi.

ever Thuanus or his anonymous enlarger, particularly, have asserted directly to the contrary of it^{*}; the early and the final repentance of Buchanan, is too powerfully attested to be questioned. The authority of Thuanus himself is no ways equal to Camden's, for an incident in our island history. The authority of an anonymous writer, cannot carry the weight of a straw against him. The account also given by Thuanus or his anonymous continuer, *obviously confutes itself*; by making Buchanan allude to *what happened after his death*, and *anticipate the proscription of his works by parliament*. "Ubi exspiraverit," says the forged speech of this great forger, "in Regis potestate futurum, ut *de scriptis illius pro arbitrio statueret*; tantum, quid *de eâ re acturus esset*, pro prudentiâ suâ antè maturé consuleret," &c.† This is so pointed a reference, to what happened above NINETEEN MONTHS after he was dead‡; as betrays the forgery of the whole at once.

The Annals of Camden, therefore, stand unopposed. They were, before, decisive vouchers of the truth. But they are doubly decisive now. And Buchanan appears, as every good man would wish him to appear, *at last* stunned effectually into sobriety by the stroke of death, *at last* roused effectually into remorse by the terrours of judgment, and, with his dying tongue, proclaiming loudly the

^{*} Jebb, i. preface.

† Ibid.

‡ Buchanan died September 28, 1582, and the law alluded to was passed in May 1584.

falsehood and forgery of his calumnies against Mary *.

N° XIII.

* Concerning the anonymous enlarger of Thuanus, Bayle gives us this account, in that multifarious collection of facts and opinions, which is called his Dictionary. Varillas, he tells us, says thus in the *preface* to his five volumes de l'Histoire de l'Hereſie. "There are in the [French] King's library the "five volumes of the President de Thuanus's history, in the "margins whereof *the youngest of Messieurs du Puy* had writ- "ten *with his own hand* the most curious facts, that *he and his "brother* had judged fit to be retrenched from it, *when it was "printed*. I have read in the additions to the 4th volume, "that Buchanan being ready to expire," &c. But this very same Varillas, as Bayle observes, touches the same subject again in *the body* of his work, and reports the fact very differently. "In the original of M. de Thuanus's history," he *then* says, "in the place where the death of Buchanan is spoken of, there "is written with that illustrious *President's own hand*, That "James the Sixth," &c. "These variations and these shuf- "flings," adds Bayle himself, "maintain the preference that "Camden deserves." But they do more. They prove, that Varillas *forged the whole story*. Had he ever seen a copy with such additions, he could *not* have asserted the additions at one time, to be the hand-writing of Mons. du Puy the younger, and to be reasons for such retrenchments, as the two Messieurs du Puy thought proper to be made in the book; and have affirmed them at another, to be not in the hand-writing of Mons. du Puy at all, but in that of Thuanus himself. And the non-appearance of such a copy in the French King's or any other library, from the days of Varillas to the present time, is a confirmation of the inference deduced from this gross contradiction; and concurs with it, and with the forged speech above, to prove the whole a forgery of Varillas's.

Nor is this all the forgery, that I wish to expose here. When formerly a poet died, his brother-bards used to write verses upon him, hang them on his hearse, and lay them in the grave with him; Just so the forgers appear to have acted with Buchanan.

N^o XIII.

CONCERNING CRAWFORD'S MEMOIRS.

THIS very valuable work has been repeatedly used by me, in the body of the Vindication preceding. It is replete with useful and pointed intelligence. But it has been published in such a manner, as throws a shade of suspectability over it. And to notice the circumstance, I think an act of justice to the history and the reader.

These

chanan. The hearse and grave of this grand forger are infamously decorated with forgeries, by his brothers in iniquity. I have just noticed one of Varillas's. And Bayle has unwittingly recorded another. "I have heard a Scotch lord say," he tells us, "that when Buchanan was asked on his death-bed, whether he did not repent of what he had written against the authority of Kings, and in particular against the honour of Mary Queen of Scots; he answered, I am going to a place where there are no Kings" (Bayle under *Buchanan*, London, 1720, translated, with additions and corrections by the author, not in the French). Thus do these republican forgers keep hovering, like so many dæmons, about the death-bed of their favourite Buchanan; urging him (as it were) to die a hardened felon, and exulting over the success of their forgeries in the consequent perdition of his soul. They go on to accumulate one forgery upon another, in order to deny what is so happily true, the final repentance and remorse of Buchanan. And the last forgery is evidently derived from a reality, that is much more recent in its date, not so dreadful in its nature, and belonging to another person. In the grand rebellion, Baxter, a man infinitely superiour to Buchanan in that first flame of the heart, *principle*, but carried away by the

These Memoirs begin at the birth of King James in 1566, and end at the death of Morton in 1581. But the author of them lived long after the year of their termination. He expressly mentions 1585, in one part of his work *. And, in another, he hints at the nomination of Sir Robert Melvill to the office of vice-treasurer of Scotland †; which happened in 1589. The work however was drawn up at the time. "He had not," says the publisher, "fully digested his matter into form and method, "having marked down things (as it seems) just "when they happened, or when they came first "within the reach of his knowledge ‡." But he had corrected the MS. from time to time afterwards. This is plain, from the references to years beyond the period of his history. And it is equally plain from some incidental allusions in the course of it; twelve thousand pounds being said to be "a round sum in those days §;" Morton's arms being also said to be put up on the castle of Edinburgh in 1574, "which," adds the writer, "I

wild extravagance of the times, is said to have made a new version of the Lord's Prayer in part; and to have altered the clause, "thy KINGDOM come," into this, the last extreme surely of republican insanity, "thy COMMONWEALTH come." The kingdom of Heaven thus became the commonwealth of Heaven, under the magick wand of madness. And it so continued, I think, till the Restoration: when Heaven, like Britain, recovered its royalty; and the usurping commonwealth of the sectaries, again gave way to Christ's original kingdom of Heaven.

* P. 351.

† Pref. xxxvii.

‡ Ibid. xxxix.

§ P. 182.

"presume

“ perfume remain entire to this hour, and may be
 “ yet seen by the curious * ;” and King James be-
 ing equally said, “ though then scarce twelve years
 “ old,” to have “ offered his own opinion with
 “ that calmness and that cunning, which appeared
 “ inseparable from him in all the actions of his
 “ life †.”

“ As for the author’s fortunes or particular cha-
 “ racter,” the publisher tells us, “ I am wholly in
 “ the dark : however, thus much may be easily
 “ gathered from his works, that he was a man of
 “ sense, and one that made not a very mean figure
 “ in the world ; as appears by the justness and so-
 “ lidity of his reflections, and his more exact and
 “ particular account of the various transactions and
 “ turns of state in his time, than is to be met with
 “ from any one author upon the same subject ‡.”

But let us not rest our curiosity here. Let us try to push it to something like a particular conclusion. Let us endeavour to ascertain with some degree of probability, who the person is to whom we are indebted for so much information. And he was, I think, Sir John Gordon of Lochinwar in Galloway, ancestor to Lord Viscount Kenmure. In 1555 Sir John was appointed by Queen Mary, justiciary to the stewartry of Galloway ; was married to a daughter of Lord Herris in 1563, so became brother-in-law to the gallant Lord Herris ; and was one of the jury at the trial of Bothwell, in

* P. 313.

† P. 328.

‡ Pref. xxxvi.—xxxvii.

1567 *. Sir John was also one of Mary's friends, at the battle of Langside in May 1568 †; and the author appears accordingly to be of Mary's party. Sir John was equally one of Mary's commissioners, at the conferences in England ‡; and therefore the author is so particular, in his accounts of those conferences ||. Sir John was related to the noble house of Gordon by descent §, and united to the head of it by intimacies ¶; and therefore the author is so knowing, concerning the transactions of the Gordons in the north **. And, as Sir John lived on even to 1604 ††, the author might well allude to the years 1585 and 1589 particularly; and even throw out some hints, as if he was correcting his history at a period, considerably posteriour to that which he was describing in it.

But how came the work itself into the hands of the publisher, Mr. David Crawford of Drumsoy, historiographer to Queen Anne? He had it, as he tells us himself, in "an antient MS. presented him
" by his very good friend, Sir James Baird of
" Saughtone-hall; who purchased it by mere acci-
" dent, from the necessitous widow of an episcopal
" clergyman ††." The original MS., then, was either lent or given by the author's family, to some person out of it; was in the possession of an epis-

* Douglas's Peerage, 369—370, Robertson, ii. 457, and Memoirs, 17. † Appendix, N^o xvii. ‡ Goodall,

ii. 109. || P. 91—120. § Peerage, 366—367.

¶ Memoirs, 311. ** P. 77, 238—240, 256—260, and

294. †† Peerage, 370. †† Pref. xxxvi.

copal clergyman, at that violent period of the Scottish history, when King William tore down the hierarchy in Scotland, which he was obliged to support in England; was sold afterwards by this clergyman's widow, amidst the distresses in which William had involved her and her late husband, to Sir James Baird; and was finally presented by him to the publisher. And thus it came at last to the point, for which probably it had passed at first out of the family of the author; and was published in 1706.

But Mr. Crawford acted very injudiciously in the publication. Instead of giving us the work just as it stood in the MS., he set himself, forsooth! to refine the language, and to improve the method, of it. "If I had delivered things in the author's own style," he says, "it would have proved tedious and heavy to the nice reader; and, by many in our neighbouring nation, could hardly have been understood without a dictionary*." He should therefore have added a glossary to the whole; or else have explained every old word as it occurred, by a note upon the margin. But he fantastically chose to new-form the language, in order to save the "nice" reader from an absurd disgust. And he did even more. "I must acquaint my reader too," he says, "that the author had not fully digested his matter into form and method." And, "as to the method and stile in which he now appears," he modestly apologizes for both as his

* Pref. xxxviii.

own *. But he has done even more than all this. He has *added* to the whole. He has *subtracted* from the whole. He has made bold and daring alterations in it.

He speaks indeed thus of his own conduct. "I declare solemnly," he says, "I have not (that I know of) wrested any of his words, to add to one man's credit, or impair the honesty of another; and—I have—kept as close as possible, to his meaning and sense †." That he *intended* to do this, we are bound to believe upon the authority of his own assurance. But that he did *not* do it, is too plain to be doubted. That he has changed the *form* of the whole in method and in stile, he acknowledges himself. "I had all the *substance* of these sheets," he says, "from an antient MS." &c. ‡ And "my readers will be pleased to know," says Keith, "that as often as I shall have occasion to quote these Memoirs, I take my quotations from a MS. copy, *which was taken from the very MS. made use of by Mr. Crawford*, before he caused it to be printed: there are CONSIDERABLE VARIATIONS, betwixt the manuscript and the print ||."

This assertion is too true. There *are* considerable variations, betwixt the print and the MS. Some of these it is requisite to specify, for the fuller illustration of the point. And I shall specify them at some length, to illustrate the point more fully.

* Pref. xxxix.

† Pref. xxxviii.

‡ Pref. xxxvi.

|| P. 330.

The MS. said concerning Bothwell's trial, that the jury "acquitted him from all suspicion of accession to the murder of the King, because it was neither proved by witnesses, nor notified to be probable accusation *." And the print says, "that Bothwell was unanimously acquitted by a very honourable jury, of all suspicion as well as action of murder, not so much as one probable circumstance being adduced against him †." Here the alterations in the turn as well as terms of the language, are merely wanton at the best. But they are more than wanton. Two circumstances are thrown in, concerning the *unanimity* and the *honourableness* of the jury. One is omitted concerning the *want of witnesses*. And the original sense of the last clause, is *overdone* in the present language of it.

The author also said, that Mary promised immediately before the battle of Langside, "if any man should slay any Earl of the adversaries, he should have a forty-pound land; for the slaughter of a Lord, a twenty-pound land; and for slaughter of a Baron, a ten-pound land ‡." But the *last* clause is totally omitted by the publisher. With him Mary is "promising to each of them who killed an Earl in the field, a forty-pound land; and for the *head* of a Lord, twenty §."

"In this month," says the *copy*, "landed Monsieur de Villeroy, ambassador from France; who

* Keith, 377.
 || Memoirs, 33.

† Memoirs, 17.

‡ Keith, 400.

“ being barred access to the captive Queen, re-
 “ turned suddenly home again *.” “ In that
 “ month,” says the *original*, “ came an ambassador
 “ from France, called Mons. de Villeroy, to know
 “ the estate of Queen and country, with letters pa-
 “ tent to her Majesty, in case she were at liberty ;
 “ otherwise not to divulgate them, but to dispose
 “ of them as he list : and because he found such a
 “ troubled estate without the majesty of a Prince,
 “ he departed the country patiently through Eng-
 “ land †.” Here the copy is merely a miniature
 of the original. We have a similar instance in
 another place. “ Their sovereign,” the copy tells
 us, “ had yet many and powerful friends, and a just
 “ cause ; amongst these the Hamiltons stood firm
 “ for her ; but Argyle suffered himself to be so
 “ long tampered with by the Earl of Glencairn,
 “ that he almost forgot his loyalty ‡.” But “ the
 “ Lords,” says the *original*, “ finding their faction
 “ not so strong as their need required, having po-
 “ tent enemies against them, of which number the
 “ Earl of Argyle was one ; they thought expedient
 “ to send the Earl of Glencairn, either to persuade
 “ him directly to be of their faction, or else that
 “ he should so abstain as not to be their enemy :
 “ whereby he grew so corrupted, that altho’ he
 “ shewed himself in outward behaviour a good
 “ subject to the Queen, yet in effect shewed him-
 “ self her enemy, as by consequent shall be suffi-
 “ ciently proven ||.” But, here, the contraction of

* Memoirs, 42.

† Keith, 411.

‡ Memoirs, 43.

|| Keith, 465.

the whole is not the only circumstance remarkable in the passage. We see evident interpolations in it. The justness of Mary's cause, and the adherence of the Hamiltons to her, are both interpolated.

The King, as the writer *really* informs us concerning the murder of Rizzio, “introduced Patrick Lord Ruthven with his eldest son, and some other conspirators, through his own chamber, upon the 9th day of March 1565; and there, without either [any] reverence had to her Majesty, not only injured her with words as she then sat at supper, but also laid violent hands on her Italian secretary, and haled him unmercifully to another chamber, and there murdered him to death *.” The King, as the author is *made* to inform us, “went before into the Queen's closet, who was at supper, and the Countess of Argyle with her—; and in a few minutes thereafter—Ruthven, Dowglas, and others, completely armed, rushed in at the same door †,” &c. This is so different from that, as to astonish me. And since this is only a part of a regular story, while that is the whole substance of it; I rather suppose that to be some anticipation of the whole in the original, which has been entirely suppressed in the copy.

Bothwell, says the *true* author, seized the Queen, “and conveyed her by force, as appeared, to the castle of Dunbar, to the end he might enjoy her

* Keith, 330.

† Memoirs, 9—10.

“ as

“ as his lawful spouse—. The friendly love was
“ so highly contracted betwixt this great Princess
“ and her enormous subject, that there was no end
“ thereof (for it was constantly esteemed by all
“ men, that either of them loved other carnally):
“ so that she suffered patiently to be led where the
“ lover list, and all the way neither made obstacle,
“ impediment, clamour, or resistance, as in such
“ accidents use to be, or that she might have done
“ by her princely authority; being accompanied
“ with the noble Earl of Huntly, and secretary
“ Maitland of Lethington *.” This extraordinary
burst of weakness in an author generally judicious,
I have sufficiently answered in the work before. It
proceeds upon a supposition, pointedly ridiculous
in itself; that a prince, however overpowered by
superiour force, should yet struggle against it, or
else must be considered as consenting to it. Thus,
because the first Charles did not act so un-he-
roically, as the little souls of his murderers ex-
pected him to act; because he did not deign to en-
gage in a personal contest upon the scaffold, with
the two ruffians in masques there; and because
he spoke and acted with all the composed dignity
of a sovereign, in the moments of his murder; he
must be concluded to have been accessory to his
own death. And when Mary was carried away
by violence to Lochlevin, unless we can show her
to have made “ resistance, clamour, impediment,
“ or obstacle,” to the deed of carrying her away;
we must esteem her to have been in a conspiracy

* Keith, 383.

with her own rebels, for her own imprisonment. For these reasons perhaps, the *false* author has softened the folly of the passage, and left us scarcely a stroke of the credulous original. Bothwell, he tells us, “marched to Almond-bridge, and
“there, without any manner of resistance, suddenly surprized the unwary Queen,—and conveyed her, with the Earl of Huntly and Lething-
“tone (then in company with her), prisoners to
“the castle of Dunbar*.” The falsification of this passage, certainly carries a very strange appearance with it. It is discreditable to the publisher. It is injurious to the publication.

But it did not proceed from any design of falsifying history in *favour* of Mary. We have another instance immediately, in which we have the same sort of falsification *for* Mary, opposed by a third *against* her.

Bothwell and the Queen, as Crawford *should* have said, “had scarcely remained the space of
“ten days in the castle of Dunbar, and no great
“distance being between the Queen’s chamber and
“Bothwell’s, when they thought it expedient to
“come to Edinburgh castle; and by the way the
“Queen behaved herself to the people, as that
“Bothwell was ready to put her at liberty again,
“according to the duty of an obedient subject.
“But, at the entry of the tower that leads to the
“castle, he made semblance to lead her bridle;
“and sensible people interpreted the same, as that

* Memoirs, 19—20.

“ he conveyed her Majestie as a captive into the
 “ castle, where a subject of his was, called Sir
 “ James Balfour *.” Bothwell, as Crawford *does*
 say, “ having thus far gained his point, by having
 “ obtained her consent,—brought her with a very
 “ small guard to Edinburgh:—thus he marched,
 “ till he came to a narrow pass as he entered the
 “ city; where, fearing to be surprized by the in-
 “ habitants, he suddenly took hold of her horse’s
 “ bridle, and carried her to the castle, of which Sir
 “ James Balfour (a creature of his own) was then
 “ governour †.” Here he has suppressed all no-
 tice, of the “ no great distance between the Queen’s
 “ chamber and Bothwell’s,” of the Queen’s “ be-
 “ having herself to the people, as that Bothwell
 “ was ready to put her at liberty again,” of his
 “ making semblance to lead her bridle,” and of
 “ sensible people interpreting the same, as that he
 “ conveyed her Majestie as a captive into the
 “ castle.” But then some of these circumstances
 are as favourable to Mary, as others are un-favour-
 able to her. And the principle which produced
 both, was merely that impertinence of officious-
 ness, which appears in other parts of this passage;
 which has changed “ the entry of the tower that
 “ leads to the castle,” into “ a narrow pass as he
 “ entered the city;” and has suggested the ridicu-
 lous reason for seizing the Queen’s bridle, that he
 “ feared to be surprized by the inhabitants.”

But we see the same principle operating purely

* Keith, 383—384.

† Memoirs, 22.

and entirely to the *dis*-favour of Mary, in another passage. *Originally* the work gave for the “chiefs
“of the faction, Morton, Mar; Lords Hume,
“Sempil, and Lindsay; Barons Tillibardine and
“Grange; and Secretary Lethington: these dis-
“liking the Queen’s marriage, and being out of
“countenance before, dealt secretly with others to
“make a faction, pretending thereby to set the
“Queen to liberty, and put Bothwell to a trial for
“the suspected murder; altho’ their intention was
“rather to seek their own liberty by uprore and
“rebellion, as in its own place you shall hear*.”

Now the work reckons up as “ringleaders in this
“rebellion, all of them Murray’s faithful friends,—
“James Earl of Mortone, the Earls of Marr and
“Glencairn, Secretary Lethingtone, the Lords
“Sempill, Sanquhar, and Lindsey, with the Barons
“of Drumlanerig, Tullibarden, and Grange †.”
It drops all that pointed account of the faction,
which dissects the hearts of their chiefs so com-
pleatly, and shows us the grand *fomes peccati* within
them so plainly. And, as it omits Hume from
negligence, it adds Glencairn, Sanquhar, and
Drumlanrig from officiousness; and subjoins to
all, that they were all of them faithful friends to
Murray.

To these I might annex many other instances.
But these are sufficient to show the wild liberties,
which Crawford has taken with the MS. in print-
ing it. Yet, to wind up the whole compleatly, I

* Keith, 394.

† Memoirs, 31.

shall just mention three very striking instances more, and all three different from each other, and from all the preceding. In his preface he expressly refers to a passage in the Memoirs, which speaks of Sir Robert Melvill as “now made treasurer depute in Scotland;” and yet most amazingly omits it in his copy*. Speaking also of some merchants being seized and imprisoned by Morton, “they had no *Habeas Corpus*,” he says, “to regain their freedom; and, to make up that defect in our constitution, were forced to purchase the free air at a very dear rate †.” This interpolation betrays itself, by its broad glare, to every eye. But Mr. Crawford takes a bolder step than this, in interpolation; engrafting a formal bond of association, actually made by the royalists, upon the original stock of the Memoirs; and coolly giving it as a part of the MS. ‡ And thus, in the rash dexterity of a coxcomb, he appears to have corrected a language, that was equal to his own; to have reformed a method, which was better than his own; and, under pretence of doing both, to have luxuriated in alterations, to have suppressed notices, to have inserted circumstances, and to have unwittingly encroached upon the very confines of imposition and forgery.

All serves to hurt the reputation of these Memoirs. Amidst so many evidences of corruption, we hardly know where to find the text in its origi-

* Pref. xxxvii, Keith, 483, and Memoirs, 70—71.

† Memoirs, 312.

‡ Keith, 436, and Memoirs, 60—61.

nal integrity. Our references to it at present therefore, except where we have the original preserved by Keith, must be made with a dubiousness of confidence. And I notice the necessity for this, in order to be faithful to the truth; and in hopes of inducing some gentleman of Edinburgh, to procure either Crawford's MS. or Keith's copy of it, and to give it un-sophisticated to the world.

N^o XIV.

CONCERNING A FORGERY BEFORE.

IN chapter the 1st of the present volume, I have noticed a forgery in a very memorable paper, that pretends to contain some concessions made by Francis and Mary in 1560, to their rebel subjects of Scotland. I have there noticed it in such a manner, as sufficiently proves its general forgery. But I wish here to examine the paper more particularly, and to prove the forgery of it from a variety of points. And this is the more expedient at present, as some parts of it have been recently made the foundation, for erroneous delineations of the Scotch government.

I.

On May the 2^d 1560, Francis and Mary issued a commission at Chenonceau, to Monluc, Randan, and

and others ; authorizing them to meet some commissioners from Elizabeth, and to enter with them into “ a reconciliation of differences arisen “ with the Queen of England *.” Elizabeth also issued an equal commission to Cecil, Wotton, and others, referring to the French commission, calculated for the same purpose, and dated on the 25th of the same month †. And under these two commissions was the peace made, between Elizabeth upon one side, and Francis and Mary on the other. Yet the present paper comes forward, to confound this clear and certain order of things. It pretends to produce a *second* commission for the *French* deputies, dated one month after the other, and at a different place, on *June* the 2d, and at *Remorentin*. The dating words run thus in the French ; “ donne “ a Remorentin le deuzime jour de Jung Lan de “ grace mil cinque cent soixante et de noz regnes “ les primer et seizieme.” Yet this does not even *pretend* to *revoke* the other ; and so is proved by the other to be an imposture, at once. This indeed *takes no notice* of the other ; and so proves itself again, to be an imposture. This also *professes* to be *that very commission itself* ; and so shows its own fictitiousness, a third time. It states itself to have been drawn up, just as the original commission does, for making peace with *Elizabeth*. “ We “ having received information,” it makes Francis and Mary to say, “ that our said sister [Elizabeth]

* Keith, 130, and Forbes, i. 460 and 319.

† Ibid. 130—131, and Forbes, i. 494—500.

“ is willing to depute some persons to repair thi-
 “ ther [to the frontiers of Scotland] on her part;”
 they therefore depute Monluc, Randan, &c. “ to
 “ meet and assemble with the deputies of our said
 “ sister the Queen of England,—to treat concern-
 “ ing the renewing of our—mutual amity.” And
 as *that* speaks of the differences arisen with Eliza-
 beth, “ by assembling of men on the borders;” so
this declares some commotions in Scotland to have
 “ been the occasion, that upon the frontiers of the
 “ said kingdom, and those of England, there has
 “ been some gathering together of soldiers from
 “ both kingdoms, which may have interrupted in
 “ some sort our common amity*.” The *second*
 commission thus arrogates to itself, all the power
 and authority of the *first*; and so shows the imper-
 tinence, in displaying the bravery of falsehood.

But the second is not content merely to “ play
 “ these tricks to the eye of Heaven.” It not only
 ventures to pass itself off upon us, for the original
 commission. It also flies in the face of the origi-
 nal. It thus does, what it was fabricated to do.
It directly contradicts the other. And, with the last
 extreme of forging impertinence and forging bra-
 very, it presumes to maintain its pretensions to
 originality, in full opposition to the very original
 itself. Francis and Mary issued the real commis-
 sion, in order to terminate their differences with
 their rebellious subjects of Scotland, but under the

* Keith, 130 and 143. Remorentin, here noticed, is “ four-
 teen myles beyonde Bloys” (Forbes, ii. 26).

form of adjusting a quarrel between themselves and Elizabeth; because they would not condescend to enter directly into treaty, with the rebels themselves. “Reges enim Gallorum,” says even Buchanan, “non credebant e suâ esse dignitate, in *“ æquam disceptationem cum civibus suis venire *.”* “Galliæ enim et Scotiæ Regi et Reginæ,” says Camden nearly in the same words, “infra Majestatem visum est, in *“ æquam disceptationem cum subdi-
“ tis descendere †.”* “The French,” adds Spotswood,—“thinking it dishonourable for the King and Queen of France to *treat with their own subjects*; they intreated the Queen of England to send her embassadours, to mediate an agreement ‡.” Yet the *second* commission speaks in terms, of “the *rebellion* of some of our subjects of the kingdom of Scotland.” It also authorizes the deputies expressly, “to *give assurance to our subjects* of the kingdom of Scotland, that notwithstanding they have of late *committed so grievous a crime, as to forget their duty towards us*, if nevertheless they shall repent,” &c. §. And the *second* thus goes directly *against* the *first*, so attempts to *supersede* it, and thereby proves itself for the fourth time to be a forgery.

The first and genuine commission was drawn up, with such a delicate attention to the rights of royalty; that the rebellion of these Scotch saints, however successful in itself, could not afterwards be legally vouched, as any sanction for future re-

* Hist. xvi. 324.

† P. 53.

‡ P. 146.

§ Keith, 143 and 144.

bellions. But such an attention would not suit the purposes of rebellious ambition, in Murray. He therefore had the hardiness of knavery, to forge a new commission, and to draw it up for a direct and formal treaty with the rebels.

Yet this was only a part of his plan. He had another, and more important, part behind. The concessions granted by Francis and Mary under the genuine commission, were not sufficient in his eyes. He must have more. And he forged at once a new commission and new concessions*.

The concessions under the *first* commission, were nothing more in effect, than a pardon to the rebels for their rebellion. This appears from the 8th article of the real treaty, which refers to “certain
“supplicatory petitions, presented by the saids
“nobility and people” of Scotland, “to the saids
“King and Queen,” Francis and Mary; and which
promises, “that the saids—King and Queen—shall
“fulfil all those things, which by their said com-
“missioners, they have granted to the saids nobi-

* Something like this foul play, the English embassadour at Paris feared, would be played by the French a very few weeks before this period. “Theyr ys no suche treatie,” said Throgmorton to the Spanish embassadours, “betwyxte Fraunce and
“Scotland: I wyll not denie,—but paraventure the Frenche
“*wall cause suche a instrument to be made yn forme, and solemly*
“*synyd, either by L’Aubespine,*” the secretary of state, “or
“*somme other notori, to abuse you withall; and yet, me-*
“*thynkythe, they shuld not use suche impudencie: you be*
“*bothe so consyderate, that you wyll desyer to se the verie orygi-*
“*nall, and not beleve a transcrypte off the adversary party*”
(Forbes, i. 463).

“ lity and people *.” These “ supplicatory peti-
 “ tions” it plainly implies, to be for pardon only.
 “ Seeing,” adds the article, “ it hath pleased Al-
 “ mighty God—so to incline the minds of the said
 “ —King and Queen —, that they have largely
 “ manifested their CLEMENCY and BENIGNITY to-
 “ wards their nobility and people —; and that re-
 “ ciprocaly the saids nobility and people have wil-
 “ lingly, and of their own accord, acknowledged,
 “ professed, and promised all duty and obedience
 “ to the saidis—King and Queen, their sovereigns;
 “ for the better preservation, cherishing, and con-
 “ tinuance whereof, the saidis—King and Queen
 “ have, by their saids commissioners, *granted their*
 “ *assent* to certain *supplicatory* petitions” &c. “ And
 “ the saids—King and Queen being desirous to
 “ have their said BENIGNITY towards their said
 “ subjects, attributed to the *good offices* of the said—
 “ Queen Elisabeth,—at whose INTERCESSION and
 “ REQUEST the saids King and Queen have been
 “ *more propensely moved bereunto*; therefore ’tis
 “ agreed between the foresaid commissioners of
 “ both parties, that the saids—King and Queen
 “ shall fulfil all those things, which, by their saids
 “ commissioners, they have granted to the saids
 “ nobility and people of Scotland, at Edinburgh
 “ the 6th day of July in this present year 1560;
 “ provided the saids nobility and people of Scot-
 “ land *shall fulfil and observe* all those things, that
 “ are contained in the saids articles and conven-
 “ tions, to be performed on *their* part †.” All this

* Keith, 135—136.

† Ibid.

evidently

evidently implies nothing more, than a general pardon of the rebels, as at the intercession of Elizabeth, and on the condition of their dutiful behaviour for the future. The very turn and terms of the article, show it decisively. Buchanan also concurs with the article, to show it. One of the conditions of peace, and the only one that he notices concerning the rebels, he states to have been this: “ ut
 “ Maria Scotorum Regina, consentiente Francisco
 “ marito, lege latâ sanciret *oblivionem* omnium,
 “ quæ per Scotorum proceres gesta aut attentata
 “ fuerant, a decimo die Martii M.D.LIX. usque
 “ ad calendas Augusti M.D.LX. * ” And Camden coincides with both, stating the only one of the articles that respected the rebels, to be this;
 “ Rex et Regina cum nobilibus Scotiæ, subditis
 “ suis, *reconciliabuntur* †.”

The concessions then, made in this treaty to the rebels, were merely concessions of pardon. Yet a mere pardon was not sufficient, for such presumptuous rebels as these. They wanted more. They actually asked for more *during the treaty*, under *pretence* of securing *this*. The fact appears from a letter of Cecil's, and an intimation of Camden's, united together. “ Such is the case,” says Cecil on June 21st, 1560, “ being betwixt a
 “ prince and subjects; as we know not how to
 “ provide for *surety* of subjects *against all adven-*
 “ *tures*, without such dishonour to the prince, as
 “ neither WILL BE GRANTED, nor can REASONA-

* Hist. xvii. 326.

† P. 54.

“ BLY BE DEMANDED, for subjects: I assure your
 “ Majesty, these cases be marvellous difficult to
 “ resolve; and yet considering I know the French
 “ malice, and am wholly addicted to your Majes-
 “ ty’s honour and surety, I would not YIELD SO
 “ MUCH TO THE FRENCH QUEEN’S HONOUR IN
 “ BEHALF OF HER SUBJECTS, if your coffers were
 “ full to maintain but one year’s war *.” Camden
 speaks still more precisely, and takes in the *whole*
 time of the negotiations. “ Quo tempore,” he
 tells us, “ MORAVIUS ea proposuit, quæ Cecilius nec
 “ A SUBDITIS PRÆPONENDA NEC A PRINCIPIBUS
 “ CONCEDENDA, censuit †.” And yet these are
 evidently *the very points*, that form the *striking* and
glaring articles of the forged agreement.

Thus article the 5th, which declares “ neither
 “ the King nor the Queen shall *order peace or war*
 “ within Scotland, but by the *advice and consent*
 “ of *the three estates*, conformable to the *laws, or-*
 “ *dinances*, and *customs* of the country, and *as has*
 “ *formerly been done by their predecessors the Kings*
 “ *of Scotland* ‡;” and on which some wild theories
 of Scottish government have been built by those,
 who are fascinated with the very COW-BRAWL of
 liberty ||, and who are ready to follow THE PIED
 PIPER OF HAMELEN to their own destruction; is
 clearly one of those points, that Murray proposed
 and that Cecil rejected. It is plainly such, as *ought*
not to be asked by subjects; such as *ought not to be*

* Keith, App. 49.

† P. 53.

‡ Keith, 140.

|| The tune, which has such a fascinating effect on the Swiss
 soldiery in foreign parts, is called the *cow-brawl*.

granted by sovereigns; and such also, as, in the opinion of Cecil himself at the time, *was sure not to be granted* by the deputies of Francis and Mary. And it is plainly such again, as from the united testimonies of the real treaty, of Camden, of Buchanan, and of Cecil, *was not granted at all*. Nor was it ever afterwards *pretended to be granted*, except at the very moment. No such *prerogative* as this, was ever claimed afterwards by that *mock-majesty* of the people; with which republican dreamers love to dress up the mob, in order to gratify their own imaginations by the vision; and with which, too, the more active sons of ambition love equally to garnish them out, in order to make them mere spademen and pioneers to their own operations. The claim and the concession are found only here. And Camden and Cecil unite to show us, how they come to be here. Murray could not *gain* the point by *treaty*. He therefore *seized* it by *forgery*. He forged a new agreement, as well as a new commission. He forged the latter, with a view principally to the former. He incorporated the old commission into the new. And he compounded the new agreement with the rebels, into one mass with the old.

There is also another article of the same kind, in this spurious agreement; which is the 6th, and says “*the three estates shall make choice of twenty*”
 “*four able and sufficient persons of note out of*”
 “*this realm, out of which the Queen shall select*”
 “*seven, and the states five, for to serve as one ordi-*”
 “*nary council of state during her Majesty’s ab-*”
 “*sence.*”

“fence *.” This also is clearly one of the points, which Murray proposed to Cecil and Cecil refused to ask, as what was *not to be desired by subjects, and not to be granted by sovereigns*. Yet Murray inserted it in the forgery, when he could not introduce it into the reality. It is indeed a necessary part of that grand plan, which is regularly pursued in these supplemental articles of the treaty; and which is to fix the parliamentary estates, in an elevation of authority incompatible with the Queen’s sovereignty. The preceding article takes away from her, the power of making peace or war; without the concurrence of her parliament. This gives her also a perpetual council, appointed by the parliament itself; she having only the liberty to chuse seven out of twenty-four *nominated by them*, and they being then to chuse five more *out of their own number*. And both would unite to reduce her, to what the late Sovereign of our own country, with too much reason, said his ministers once wanted to reduce him; into that lowest pageant of royalty, *a very Doge of Venice*.

But the same plan was carried on, with another article. The 8th says, that the act of oblivion shall extend to “all those, who have any manner
“of way contravened the laws of the kingdom;
“provided nevertheless, that the privilege of this
“act be not extended to those, *whom the estates*
“*shall not deem worthy thereof* †.” This was certainly another of the points, which Cecil refused to

* Keith, 140.

† Ibid. 141.

ask, which Cecil *was sure would not be granted*, and which Camden and Cecil intimate *were not granted*. It was the last link in the chain of that Polish and republican royalty, which Murray wanted to be forming for his own advancement. It was to make the estates, not merely co-ordinate, but even supreme. It was to wrest the power of pardoning, out of the hands of the Queen. It was to lodge the power of punishing, in the hands of the parliament. And, what is more, that parliament, without which she was not to make either peace or war; which was to nominate her very council for her; and which the rebels had already calculated, no doubt, to render totally subservient to their will, by the violent introduction of mere *freeholders* into it; was now empowered to turn the very act of oblivion itself against the very Queen herself, to make it cover all their own party compleatly, and to keep it from covering any of hers at all *.

These were articles certainly forged by the rebels. They were all forged, too, immediately after the treaty was concluded. This is evident from a couple of cotemporary papers. In some instructions given by the triumphant heads of the rebellion, to a person sent by them to Francis and Mary, on the termination of the parliament; he is directed to “declair to thair Majesties, that, according to *ane artikle in the said treatie*, that the

* These freeholders claimed an equal right to sit in *council*, as well as in parliament. Such was their audacious folly! See Robertson, ii. 323—324.

“ estaitis fall nominate twenty four gude and nota-
 “ ble personis of this realme, of the quhilkis thair
 “ Majesties suld cheis fevin, and the saidis estaittis
 “ fyve, quha suld mak the ordinar counsell to go-
 “ verne the causis of this realme,” &c. * And, in
 a paper reciting the deeds done by this parliament,
 we are told, that “ thair is 24, conform to the ar-
 “ tiklis, chosin to be sent to the King and Quenis
 “ Majesties, whair of thai suld cheis,” &c.; and that,
 “ tweching the law of oblivion, it is ratifiet and
 “ approvit,” but “ every shire has given in sa many
 “ namis in special, as thai think sould joifs and haif
 “ the privilege of the said law, and the rest ar to be
 “ unworthie thairfor †.” These show the forgery
 to have been made, immediately after the treaty;
 to have been made, like the famous letters them-
 selves, for the deception of the parliament; and to
 have succeeded in its work of imposition upon the
 parliament, as effectually as the letters themselves
 did.

Nor let any of my more candid readers, be
 frightened from thinking the whole a forgery; be-
 cause they see two of the articles immediately af-
 terwards, thus solemnly sanctioned by the parlia-
 ment as genuine. I must be ingenuous enough
 to own, that I hesitated myself at first, on a view
 of this. I could hardly conceive these convicted
 forgers, to have been *then* capable of mounting
 up, to such an altitude of impudence as this. But
 the forgery is too apparent, upon the face of the
 agreement and commission; for these to be carried

* Keith, App. 91.

† Keith, 152.

through as genuine, by mere dint of effrontery. And the carrying of the famous letters, through the parliament of 1567; the fixing a parliamentary sanction of authority, upon those blasted forgeries; marks at once the high degree of effrontery and impudence, to which the spirits of these rebels could rise, in the prosecution of their rebellious purposes.

But this very parliament of 1560, appears to have acted exactly in the manner, in which the parliament of 1567 acted; to have equally sanctioned the grossest falsehoods for truths; and to have broken down all the lines and fences of common honesty, in order to pursue their ruffian reformation to its full perfection. In the 13th article of *their own* treaty it is provided, “that if any bishops, “ abbots, or other ecclesiastical persons, shall make “ complaint that they have received any harm, “ either in their persons or goods; these complaints shall be taken into consideration by the “ estates in parliament, and such reparation shall “ be appointed, as to the saids estates shall appear “ reasonable *.” Yet how was this plain article, the necessary part surely of a general reconciliation, answered by the parliament? It was answered thus, as we luckily happen to know from an accidental letter of the time. The bishops, abbots, and “ utheris of the clargé,” put in their complaints accordingly. But they “could get na answer” to them. “I gaif in findrie billis,” says an agent

for the archbishop of St. Andrew's, "to the lordis
 " of the parliament, be avyse of Maister Johne
 " Spens, desirand an answer; I could never gett
 " the answer of *ane* of thame *." Yet on the last
 day of sitting, and just before the parliament broke
 up for the session, these perfidious men played off
 a most hypocritical mockery of justice, upon them.
 They insisted upon the bishops and abbots in parlia-
 ment, doing immediately what they knew they would
 not do, subscribing to their presbyterian confession
 of faith. They thus drove them by their violence,
 out of the parliament-house. They then brought
 forward those very complaints, which they would
 never suffer to be discussed before. They called
 in form twice upon the bishops, &c., to stand forth
 and support their complaints; at the very time,
 when they knew them all to be absent. And, on
 their not doing what it was absolutely impossible
 for them to do, they instantly voted; that the bi-
 shops, &c. had no complaints to make, and that
 they had owned as much by their silence. Just so
 in a Polish diet, when only one man dissents, the
 rest have been said to draw their sabres, to cut him
 barbarously in pieces, and then to cry out in a savage
 triumph, "Non loquitur." But let not the fate
 of even such wretches in infamy, be suspended up-
 on my word. Let it be shown by two authentick
 papers. "The last day of the parliament," says
 one of them, "at fyve houris at *evin*, the lordis of
 " the articlis callit for the bischopis to resson thair

* Keith, 488—489.

“ billis ; and *thai wer all departit*, be reason that
 “ *thai would nocht subscribe* with the lordis of the
 “ articlis : and *thairfoir* thai wer callit, BECAUSE
 “ OF THAIR DEPARTMENT *.” Such low-fouled
 fons of fraudulence, were these chiefs of rebellion !
 And then the parliament entered this resolution
 upon their books : “ *yat becaus na man comperit* of
 “ the kirkmen, that gaif in thair billis of com-
 “ plaint, nor *nain for tham*, to declare in special
 “ quhairin thay wer hurt, *eftir thai war twyse callit*
 “ *upon* ; the lordis and nobilitie *had don thair*
 “ *dutie*, conform to the articles of peac †.” Such
 heroes in bravery and audacioufness, were these
 princes of reformation ‡ !

But let me proceed at once to an act of theirs,
 which is so much superiour to all their other enor-
 mities, as to hide and cover them under its broad
 glare of iniquity. In *their own* treaty again, and
 in the 17th article, it is declared, that “ whereas,
 “ on the part of the nobles and people of Scot-
 “ land, there have been presented certain articles
 “ concerning RELIGION and CERTAIN OTHER
 “ POINTS, in which the lords deputies would by no
 “ means meddle, as being of such importance, that
 “ they judged them proper TO BE REMITTED TO
 “ THE KING AND QUEEN ; therefore the saids no-

* Keith, 488—489. † Ibid. 151. ‡ Yet this deed
 of knavery is totally omitted by Dr. Robertson, i. 238—243 ;
 is even turned into a direct act of honesty, in a suppression of
 all the offensive circumstances, by Mr. Guthry, Scotch Hist. vi.
 139 ; and is prudently omitted again by Dr. Stuart, Hist. of
 Reformation, 188—194.

“bles of Scotland have ENGAGED, that, in the
 “ensuing convention of estates, SOME PERSONS OF
 “QUALITY SHALL BE CHOSEN, for to REPAIR TO
 “THEIR MAJESTIES, and REMONSTRATE TO THEM
 “the state of their affairs, particularly THOSE LAST
 “MENTIONED—, and TO UNDERSTAND THEIR IN-
 “TENTION AND PLEASURE, concerning *what re-*
 “*monstrances shall be made to them*, on the part of
 “the kingdom of Scotland *.” The rebels were
 thus tied up in the fullest and most forcible man-
 ner, from even *attempting* any *the slightest innova-*
tions, upon the national system of religion. All
 was to be remitted to the King and Queen. Nor
 were they even to make any remonstrances to them
 upon the subject, *before* they had made a deputa-
 tion of nobles to them, to explain the condition of
 the kingdom, and then to know what kind of re-
 monstrances they would suffer to be made upon the
 subject. And yet, yet, no honour could bind, and
 no engagement could fetter, these Turks and Tar-
 tars of protestantism. They broke through all
 engagements. They trampled upon all honour.
 They set all Christendom and Heaven at defiance.
 And they established the reformation in Scotland,
 with such a profligate contempt of God and man;
 as must make the cheek of an *honest* Protestant to
 burn with shame, and the heart of a *real* Christian
 to tremble with abhorrence. They appointed no
 deputies. They made no remonstrances. But
 they fell to their wild work of reformation, at once.

* Keith, 142—143.

They even altered, as far as *they* could alter, *the whole form and æconomy* of religion in the kingdom. And they then had the superadded impudence, to request the Queen's ratification of their villanies*.

This most impudent request we know to have been rejected with disdain. But what particular reasons were assigned for their rejection, has never yet been ascertained. They are intimated to us, however, in a passage of Camden's Annals; distorted indeed, by some wilful mis-information, I fear, in those papers of Cecil's from which he wrote, and disguised by the consequent confusedness of his own ideas concerning all. "Why they," Francis and Mary, "refused to confirm it," the treaty of Edinborough, he says; "they alledged these causes." The first is this: "for that the Scots had entred into *the confederacy of Berwick* with the English, not by the royal authority, but by their own; which they ought not to have done." This was plainly a reason, as here stated, which could not have been offered by idiotcy itself. The confederacy of Berwick was formed,

* Yet to the astonishment of myself, and (I hope) of my readers too, I find that this infamous violation of all principle, is most jesuitically flubbed over by Dr. Robertson, i. 242—243, by Mr. Guthry, vi. 136—142, and by Dr. Stuart, 189—195. Protestants, it seems, may break through all restraints of honour, when they are securing liberty and reformation. Papists challenge equally a dispensation from the shackles of morality, when they are securing religion and the church. And so knavery, protestant or popish, is licensed to walk the round of Christendom.

months before the treaty of Edinborough. It certainly was an act of high rebellion, in itself. But it could not supersede the treaty of Edinborough made afterwards, because this treaty did not mention it at all; the English, who would have gladly had it sanctioned by the treaty, being always refused by the French; and even the forged articles not pretending to sanction, or even to notice, it. And the reason assigned by Francis and Mary *in reality*, was this, no doubt; “for that the Scots had “*added a new treaty to that* with the English, not “*made* by the royal authority, but by their own; “which they ought not to have done.” The second reason is this: “for that it was entered into by “rebels, and signed with the counterfeit seals and “subscriptions of their faithful subjects.” This reason carries a still stronger ray of intelligence with it, than the other. The confederacy of Berwick was signed only by Murray (then Lord James Stuart), Lord Ruthven, John Maxwell (afterwards Lord Herrer), Maitland, Wyshart of Petarro, and Balnavys; all well-known rebels at the time, and all (except Herrer) continuing rebels to the very last. There were no “seals and subscriptions of “their faithful subjects,” to *this*. There could not possibly, therefore, be any “counterfeiting” of them for *this*. But there could be, and there was, for the *other*. The treaty of Edinborough, in the Scotch and forged half of it, was actually “signed “with the counterfeit seals and subscriptions of “their faithful subjects,” Randan and Monluc. And the second objection to signing the Scotch
part

part of the treaty of Edinborough, was this, no doubt, originally : “ for that it was *counterfeited by* “ *the* rebels, and SIGNED WITH THE COUNTER-
“ FEIT SEALS AND SUBSCRIPTIONS of their faith-
“ ful subjects *and embassadours.*” The third objection advanced, carries a still stronger ray of intelligence than either, and is this : “ for that they “ had not performed the obedience promised in the “ said confederacy.” But no obedience at all was promised in the *confederacy*. None *could* be. It was solely a league of iniquity, between Elizabeth and the Scotch rebels. In such a league, what *promise* could there possibly be, of obedience to Francis and Mary? None certainly. Yet there was actually such a promise in the *treaty*. It was even made in the English part of the treaty, the very *condition* on which the concessions to the Scotch rebels were granted. And Francis and Mary, therefore, might with every propriety refuse to ratify, even the genuine part of the Scotch articles, and even the English half of the whole treaty ; because those articles were granted expressly in that half, on the condition of dutiful allegiance for the future ; and because the rebels had in their packed parliament, in their forgery sanctioned by it, and in their ordinances formed in it, been adding insult to impudence, been breaking through all the ties of allegiance and all the restraints of conscience, been annihilating the authority of the crown, and laying it under the feet of their fanatical mob *.

* Camden, Orig. i. 60, Transf. 48 ; Keith, 119, 117, 315, &c. ; and Haynes, 336—340.

All unites to prove the flagitious readiness of this parliament, for committing any crime and for sanctioning any forgery, that Hell could prompt and Earth could execute. In this readiness they received the forged articles from Murray, and stamped them with the impress of their own authority for genuine. Murray, Ruthven, and Lethington, the three witnesses to the authenticity of them and of the commission, were in all probability the very fabricators of both. Murray, undoubtedly, was concerned in the work. His original offer of such articles for insertion in the treaty, shows this sufficiently. And all was done directly after the treaty, to meet the coming parliament. The "articles and conventions," which the French commissioners signed to the *rebels*, were merely in the keeping probably of the very rebels themselves. They were to be ratified by the parliament, and then remitted to the King and Queen for their ratification *. For this reason, no copy of them has ever been found among the papers, of either the French or the English commissioners. And the only copy that we have at present, is derived entirely from the rebels. In such a case, Murray, and his co-ordinates in knavery, had nothing more to do; than to draw up a new set of articles in the room of the old, to introduce such into this as they thought *should have been* in that, and to present the forged for the genuine paper to the publick. They did so, to the parliament. They did so, to Cecil. They produced, no doubt, their

* Keith, 143.

spurious treaty in *their own* original of it, to the parliament; though they presented only a copy of it, to Cecil. They afterwards withdrew, probably, their pretended original from the records of parliament; just as they withdrew their pretended letters, from the English commissioners at Westminster; lest it should be seen, examined, and detected. They had reported the pretended signatures of Francis, Mary, and de l'Aubespine, and even the pretended seals of Francis and Mary, to this commission; exactly, no doubt, as they had seen them affixed to the other. They had actually forged the signatures of Monluc and Randan, to the agreement. They were therefore as liable to be detected, in these forgeries of attestation; as they were in their forgery of Mary's hand-writing, upon the letters. And, to prevent a detection, they withdrew equally the letters, the recited commission, and the agreement, from inspection. They had carried their grand point, by the production of the agreement and the commission; as they again carried it afterwards, by the production of the letters. They were then apprehensive for all. They therefore suppressed all. The original forgery of 1560 has been ever since as invisible, as the original forgery of 1567. And, had it not been for the copy of both in Cecil's possession, we should have known only of both in general, and not have been able to expose the forgery of either, at this moment.

By the light of this, however, we have seen the agreement and the commission to be an evident

forgery. The commission we have seen to be forged, by its being different from the real commission, by its not noticing the real one, by its not pretending to contradict it, and by its arrogating to itself all the power and authority of it. There cannot be two suns in one hemisphere. One of them must necessarily be a mock-sun. And, the moment we acknowledge the reality, we must consider the other as merely a mockery. But the other proves itself the more to be a mock-sun, by presuming to set itself off for the real one. It pretends to have all the light and heat of the real one, in itself. It thus betrays the weakness of its own lustre the more, by the haughtiness of its pretensions. And the spurious commission destroys its own authority at once, by presuming to thrust itself forward for the genuine one.

That Murray and his accomplices should have been guilty of such an extravagance as this, may seem very amazing. But we have seen them guilty of still greater, in the letters, sonnets, and contracts before. They were even guilty of still greater, in this very forgery. They drew up the commission, as to the rebels, in these terms: “to give assurance
“to our subjects of the kingdom of Scotland, that
“notwithstanding they have of late committed so
“grievous a crime, as to forget their duty towards
“us; if nevertheless they shall repent, and return
“to that obedience which they owe to us, we
“are willing to receive them into favour, and to
“forget all that is past *.” This is the whole of

* Keith, 144.

the commission, which relates to the rebels. The rest either refers to Elizabeth; or includes those general powers, which are necessary to every commission, but which, however large and ample, are of course, as common-sense tells us, to be circumscribed and limited in their application, by the objects particularly specified *. Yet the very articles of agreement under this commission, go a thousand degrees beyond all this. They not merely pardon rebels. They do infinitely more. They unhinge the whole constitution. They elevate the estates into judges co-equal with the Queen, respecting peace or war. They authorize them, to nominate her very council for her. They even take away her right of pardoning, and her power of punishing, for all the late train of offences; and transfer it all to the estates. And therefore, upon the very terms of their own commission, these very concessions of their own granting are absolutely void and null. So negligent were these forgers in fabricating their forgery, as to make their own ar-

* This is said, with a view peculiarly to Mr. Guthry; who in vi. 131—134 is weak enough, to shelter all the excesses in the forged agreement, under the general powers of the pretended commission. The forgers perhaps were weak enough, to intend the same; and therefore made their general powers *so* ample. But if these are not considered, as all general powers with specifick objects must be; they will only serve, as another proof of the forgery. No sovereigns in their senses would permit their deputies with instructions, to wander *ad libitum* from the specified objects of their instructions, under pretence of their general powers; as then all specification would be superfluous and impertinent.

ticles clash violently with their own commission; even that very commission, from which the articles were to derive all their authority!

Yet what was all this contradiction or all that extravagance, to the grand anachronism in the date of the commission; an anachronism, into which no person in a clerk's office at court, no person in the official and mechanical habits of business, could possibly have fallen; and none but an interloper, hasty and negligent, could ever have fallen at all? To mistake the EIGHTEENTH year of Mary's reign, for the SIXTEENTH; to date a commission of 1560 in the SIXTEENTH, when she was actually in her EIGHTEENTH, and when *all the other records of her reign are dated accordingly*; is such a monstrous and over-grown absurdity, as crowns all the rest.

II.

But I can corroborate this capital discovery, by another of the same nature.

The commission is also dated the SECOND day of JUNE, in the year 1560. On the SECOND of JUNE, therefore, does it order Monluc, Pellue, De la Brosse, D'Oysel, and Randan, "to transport
" themselves to the frontier of our said kingdom
" of Scotland, and to meet and assemble with the
" deputies of the Queen of England*." But Pellue, De la Brosse, and D'Oysel, had now been long with the French forces in the town of

* Keith, 143.

Leith *. Monluc also entered the English camp at Leith, upon the *twenty first* of *April* before; reached Berwick in his return, upon the *thirtieth*; arrived at London on the *eleventh* of *May*; and there waited a while, in order to return back into Scotland again †. And Randan, the only one of the five, who was now remaining in France; who received the real commission in France, at or after the *second* of *May*; and who is asserted by this pretended commission, to have received *it* in France, at or after the SECOND of JUNE; actually appears in person *within the kingdom of England*, at *the very time*. This is a wonderful addition of evidence, to the blunder concerning the year. Yet it is a very clear one.

Only *five* days after the date of the commission, and on the *seventh* of June, Randan appears in the *north* of *England*, and at *Newcastle upon Tyne* there. He had come to London, had met Monluc there, had with him waited on Elizabeth, had shewn their *second* as well as first commission to her, had fixed with Cecil the day of his and their setting out for Newcastle, had set out accordingly, and had reached it. The Queen Dowager of Scotland, says the Duke of Norfolk in a letter from Berwick on

* Buchanan, Hist. xvi. 324, for D'Oysel; and 325, for De la Brosse, and Pellue the Bishop of Amiens; and Haynes, 325, for "there colleagues in the towne."

† Buchanan, Hist. xvi. 323; Haynes, 267, 274, 279, 295, and 302, and Forbes, i. 481. Monluc, says Camden, was "a man not averse from the protestant profession," Orig. i. 50, Transf. 39. Monluc, says Throgmorton more boldly but less credibly, "is a protestant" (Forbes, i. 224).

the *fourth* of June, is now encouraging the subjects of Mary with the intelligence; that *Randan* is coming to Scotland, and that Monluc, who was bishop of Valence, is returning with him. She is showing them, he says, “the newes of *Randan*, and “of *the bishop's retorne again* *.” Monluc had returned to Newcastle, Randan had come with him, they had entered into treaty with Cecil there, and had already held one formal meeting of business, with him; when Cecil wrote an account of it to Elizabeth. Yet Cecil wrote on the *eighth*. We know this, from an answer to his letter. We know it also, from the letter itself. The answer is made by the privy council, and dated “from Greenwich “the *twelfth* of June 1560.” We, they say, “have received your letters of the *eighth* of this “month, and do thereby perceive, what you have “done with *the French commissioners*, upon your “*first meeting with them* †.” “We have spent,” says Cecil himself in that very letter, to which this is an answer, “*all this afternoone* in talk with *theis* “*French men*, and have entered into many matters; “but *Randan* affirmeth precisely, that he may not “treate of any matter of Scotland, without speche “with the Queen Dowager; much hath bene sayd “this daye, on both parts:—from *Newcastle* the “*eighth* of June in the night, 1560 ‡”. Cecil therefore reached Newcastle, on Friday the *seventh* of June; as, in two of his letters before, he expressly declares his intention to reach it §. Ran-

* Haynes, 322.

† Keith, App. 48.

‡ Haynes, 324.

§ Ibid. 323.

dan also reached Newcastle, on or before Friday the *seventh* of June; and spent all the afternoon of Saturday, in negotiating with Cecil there. This he *could* do, by the *genuine* commission. It was dated *May* the second. Betwixt *May* the second and *June* the seventh, he *could* “transport himself” out of France to Newcastle. But, betwixt *June* the second and *June* the seventh, he *could not possibly do so*. And we see another proof of the forgery, in another falshood of the date.

But we may prosecute this argument of detection, still further. We have other letters of Cecil’s, which carry it on (if possible) to a still fuller point of perfection. “The French,” says Cecil in one of them, “lye *this* night at *Durham*, and we at “*Borrobbriegg*; we will be at Newcastle, with God’s “leave, on Frydaye:—we are marvellosly troo- “bled, for that we now understand, that the *traine* “of *Monsieur de Randan* be almost all captaynes “and ingynors, which meane to be occupied both “at Berwyk and in Scotland, to enter, if they “can, into Lethe: if *their salve conduct* served not, “they shuld not depart from *Newcastle*:—and so “I end full wery; *fifth Junii, 1560* *.” Randan therefore had received a safe conduct from Elizabeth, for himself and his retinue; had set out from London, under the protection of it, *before* Cecil; was now going his appointed stages towards Newcastle, equally with Cecil, but one full day’s journey *a-head* of him; and on the *fifth* of June, only *three* days after he was, by his forged commission, at

* Haynes, 323.

Remorentin in France, was actually to lie at *Durham* in the north of England.

Indeed Cecil himself, who was thus *fifty* miles *behind* Randan on the *fifth*, was on the *SECOND*, the very day of the date of the commission, at Burleigh-house near Stamford in Lincolnshire, on his way to Newcastle. “I am come to my howse
“ here at Burley,” he says, “rubbyng on betwixt
“ helth and sicknes; and yet my hart serveth me
“ to get the mastery:—we trust to be at New-
“ castle, by the 6th or 7th: this *second* of June,—
“ 1560 *.” Cecil also appears from another letter, to be at *Royston* in his way to Newcastle, about *noon* of the *last* of *May*; and consequently to have set out from *London*, in the *morning* of *May* the *thirty-first*. “At two of the clock in the afternoone
“ this last of May,” he tells us, “I am in Royston,
“ in no apparant dout of helth; and yet, by the
“ fowlness of the wether, afrayed to ryde to Hun-
“ tyngton untill to morrow †.” He had originally intended to set out, in company with the French commissioners, on May the 29th. “Mr. Secre-
“ tary Cecil, and Mr. Wotton,” says Mr. Killigrew in a letter from Greenwich on the 28th of May, “depart northwardes *tomorrow*, with *the French*
“ *commissioners*, for the better ending of these tro-
“ bles in Scotland ‡.” But the plan was afterwards altered. The French commissioners set off first, and Cecil followed them at some distance behind. And, as Cecil set out for Newcastle, on

* Haynes, 320.

† Ibid. 319.

‡ Forbes, i. 501.

May the *thirty-first*; as he reached Royston *that day*; lay at Burleigh-house, on the *second* of June afterwards; reached Borough-bridge on the *fifth*; and came to Newcastle on the *seventh*: so Randan, who was 50 miles a-head of him on the *fifth*, who was to lie at Durham the night he lay at Borough-bridge, and who, he *knew*, was to lie there that night; must have set out from London *one day before* him, and have begun his journey for Newcastle on the *thirtieth* of May; just *four days before* the very date of his second commission, and when, by that date, he is represented to be still in France, still without a commission, and still unempowered to cross over into England.

He even *came* to the court at London, as Cecil informs us, *some days before*. He came so early, as the *twenty-first* of May. “Monsieur de Randan,” says Cecil in a letter of the 22d, “hath taken good leasure, and came *yesterday* hither to the court *.” “M. de Randan,” Cecil in his diary adds, “came to *join* with De Valence to go into Scotland; and brought a commission for themselves, and bishop of Amiens, and D'Oyzel †.” But we can trace his motions backward, to a still higher date. On the *tenth* of May, as Cecil informs our embassadours in Spain, “*now* we understand *newly*, that one Monsieur de Randan—is come to the seaside, with a new commission to go into Scotland.” And he actually appears from

* Forbes, i. 460. † Murdin, 750, with a false date to it. There are two others in 751, May 30 for 31st, and June 10 for 7th.

Throgmorton's letters to Cecil, to have set out on the *fourth* of May for England; *two* days *after* the *real* commission, and no less than *twenty-nine* days *before* the *spurious* one*.

We have thus such a monstrous and over-grown absurdity again, as unites with the precedent one concerning the year, to crown all the rest completely. Both indeed unite to form such a damning proof of forgery, in the commission itself, and in those articles which are written on the same paper with, and are closed upon the paper by, this very commission; as must now strike upon every eye, come level to every judgment, and go forcibly to every heart. And these "princes of the congregation," these "men of renown" in the annals of Scotch protestantism, appear from the whole, to have been capable of any enormity, in violence or in fraud; but to have been reined-in by that UNSEEN HAND, which reins-in equally the congenial spirits of the abyss; to have been allowed only such a length of malignant cunning, as should permit them to execute their villanies at the moment, and to colour them over to all, who were either willing, unsuspicious, or indolent enough to be deceived by them; and yet to have fallen into such blunders and absurdities in the operation, as, on a strict scrutiny, would clearly lay open their villanies to the publick eye†.

III. So

* Forbes, i. 448—449, 433 and 447.

† I was once in hopes of drawing an additional proof of forgery, though it would have been all superfluous, from the *local* date, *Remorentin*. With this view I traced carefully the
steps

III.

So fabricated, Murray, Ruthven, and Lethington united, to furnish Cecil with a copy of it. They thus sent a pretended commission, and a forged agreement, to him; for the true. The commission he must have seen at a glance, to be all a fiction; as he must have known the true to be very different. The agreement he must equally have seen, to be a fiction too; as he must have observed it to comprize articles, which he knew he himself had refused to ask, which he knew he himself had declared would never be granted, and which he also knew had never been granted at all. Yet he took it and the commission, from them. He laid up the paper containing both, in his grand repository of papers. He fixed no brand of infamy, upon it. He even fixed on it a stamp of authenticity. He put this English title to it, though it had already a title in French; "Accord betwixt the French Kyng and Queen of steps of the French court, in the letters of Throgmorton, &c. published by Forbes. But unluckily Throgmorton's letters, &c. end in the 1st volume of Forbes, upon May the 29th 1560; just *four* days *before* the date of the pretended commission. And the 2d volume leaps away at once, to July 1562. Where the intermediate letters are, does not appear. Perhaps they are lodged in those un-published parts of Forbes's collection, which were a few years ago in the possession of Lord Hardwick; which are so still, I presume; and which it would be a great kindness to the lovers of historical truth, in his Lordship to publish.

" Scots,

“ Scots, and the nobilite of Scotland, 3. die Julii
 “ 1560.” He also put this label at the back of
 it, “ 3. Julii 1560, articles of accord inter Regem
 “ et Reginam Francie et Scotie ac nob. et popu-
 “ lum Scotiæ *.” And he thus made himself a
 party, in all this infamous imposition. Nor need
 we *now* to wonder, at the hardiness of iniquity in
 all. They were all confederated together in dar-
 ing sin. We have seen Murray and Lethington
 before, Ruthven being then dead, producing the
 famous letters at York in *Scotch*, re-producing
 them a few weeks afterwards at Westminster in
French, and Cecil supporting them as genuine in
both. And Cecil, no doubt, knew the agreement,
 the commission, and the letters, to be all equally
 spurious; and yet, for the safety of protestantism
 forsooth! and for the security of England belike!
 pretended to believe them all genuine.

But he did more than this. His copy is written
 wholly in French upon *one* paper. Only it has
 these words in our own language, at the close.
 “ This is the trew copy of the originall, conferred
 “ and collationed. James Stewart. Ruthven. W.
 “ Maitland.” These “ three signatures,” says
 Keith, “ are in the proper handwriting of the sub-
 “ scribers †.” But Anderson speaks of the whole
 thus. “ I also found in the Cotton library,” he
 says, “ an authentick copy of the *accord* betwixt

* Keith, 137 and 144. The real date, however, is the *sixth*
 of July. But he dated it the *third* here, as he does in Haynes,
 389, from some agreement made for it upon that day (see
 355).

† Keith, 144.

“ Francis and Mary, and the nobility of Scotland,
 “ in July 1560; and of the *powers* given by that
 “ King and Queen, to Monluc—and—Randan—:
 “ both these papers, being in the original French
 “ as signed by Monluc and Randan, are ATTESTED
 “ under the hands of Lord James Stewart,—and
 “ of the Lord Ruthven, and Secretary Maitland;
 “ which paper [containing both] is *marked by Se-*
 “ *cretary Cecil*, and THE ATTESTATION, signed by
 “ the foresaid three persons, SEEMS TO BE WRITTEN
 “ IN CECIL’S OWN HAND *.” If Anderson here
 meant what his words seem at first to import, that
 the very signatures are made, he apprehends, by
 the hand of Cecil; he then contradicts Keith di-
 rectly. And as he actually saw the paper himself,
 and as the other knew it only from his anonymous
 transcriber in London †; the testimony of Ander-
 son must preponderate greatly in the scale. But,
 on an examination of the words, Anderson appears
 to mean only, that the *attesting words*, prefixed to
 the signatures, “ seem to be written in Cecil’s own
 “ hand.” He and Keith are thus reconciled. The
signatures are “ in the proper handwriting of the
 “ subscribers.” The whole is “ *attested* under the
 “ *hands*” of Murray, Ruthven, and Lethington.
 But the *attestation* itself seems to be in Cecil’s
 writing. And the fact coincides with this; the
 clause of attestation appearing, on examining it, to
 be in the same hand-writing with the indorse-
 ment, and consequently Cecil’s; the attesting sig-

* General preface, xxxiii—xxxiv.

† Keith, preface vi.

natures appearing equally, upon examination, *not* to be in the hand-writing of Cecil at all, and even to be, as Keith has already assured us, “in the proper handwriting of the subscribers” themselves*.

In this state of the copy then, it appears to have been presented to Cecil, *without any authentication at all*. It was presented too, *after* the parliament of 1560 had ratified the spurious original. This is apparent from a sentence, at the close of the copy, and immediately before the attestation. It runs thus in the French, and thus in a translation. After the copy of the commission in French is given, strangely follows in French too this description of the signatures: “Signe Francoys Marie et sur le Replis Par le Roy et royne de laubespine Seelle sur double queue de cyre Jaulne

“ Ainsi signe

“ Monluc E De Valence Randan.”

Then comes still more strangely a preamble of subscription for Scotch peers, all in French likewise: “Et nous subscriptz tant pour nous que pour la reste de la noblesse descosse promettons et nous obligerons a ce que dessus.” “Signed Francis Mary and upon the Fold By the King

* From an inspection made of the paper, and a copy sent me of this part of it, by a gentleman of Gray's Inn, who was engaged for me by my old acquaintance, the friendly and learned Thomas Astle, Esq; of the State-paper office, &c. London.

“ and

“ and queen de laubespine Sealed on a double
 “ *queue* of yellow wax.

“ Thus signed

“ Monluc E De Valence

Randan

“ And we underwritten as well for ourselves as for
 “ the rest of the nobility of Scotland promise and
 “ shall oblige ourselves to what is above *.”

The last clause was evidently meant, for a copy of the ratification made by the parliament of Scotland, in the subscriptions of its members to it. This therefore dates the copy, posteriorly to that act. And the copy was presented, with the words of ratification in the promise of subscriptions, and yet, most unnaturally, with a total omission of all the subscriptions themselves. It also pretended to be a true copy, of the original so ratified. Yet it had no attestation of its truth. It thus came forward, with all the suspectable appearance of knavery. It had the sly and sidelong look of a conscious villain, in its eye.

Cecil saw this, and endeavoured to correct the obliquity of its aspect. He did not procure the omitted list of subscribing nobles, to be added. But he procured the signatures of Lethington, Ruthven, and Murray, to a form of attestation which he wrote himself, and to which are affixed their names. And the very *quality* of the *language* used in the attesting clause, “ this is the trew copy
 “ of the originall, conferred and collationed;” a

* Keith, 144, is not strictly accurate here.

clause certainly not Scotch, and as certainly English; coincides directly with Anderfon, and my own remark concerning the hand-writing, and confirms it decisively *.

But *when* did Cecil draw up this attesting clause, and *when* did the attestors sign it, *after* the ratification of the original in parliament? This very parliament ordered thanks to be returned to Elizabeth, for her friendly assistance lent to them in their rebellion; and a formal proposal to be made her, of a marriage with the weak and fanatic son to that next heir of the crown, the Duke of Chattelleraut; thus adding presumption to presumption, and finally taking a step that must naturally have led, if it had been pursued, to the resignation of the crown of Scotland into the hands of Elizabeth. With these thanks and with this proposal were sent, in the end of September, Morton, Glencairn, and *William Maitland commonly called Lethington* †. They came to London. The latter brought, no doubt, the copy of the forged treaty with him. And the copy is apparently written with his hand ‡.

* The *words* too are seemingly Cecil's. So in the journal of the English commissioners, where the words in general were dictated probably by Cecil, and where they have been actually "altered and interlined" by Cecil; we read of "the copies being *collationed*" (Goodall, ii. 235). And so likewise, in the books of the privy council, and in an entry that has again been "altered and interlined" by Cecil, the letters are said to have been "*conferred* and compared,—in *collation* wherof no "difference was found" (Goodall, ii. 256).

† Knox, 257, and Keith, 154—157; Haynes, 363—364.

‡ From the inspection of the gentleman of Gray's Inn.

Then

Then Cecil affixed his clause of authentication. Lethington subscribed it immediately. The other two subscribed it afterwards. And as Lethington, in this course of attesting, would naturally leave a space for the attestations of Murray and Ruthven before his; and as his and theirs would as naturally not be exactly regular and correspondent in their positions; so his appears actually *below* and *upon one side* of theirs. The attestation and signatures are in this form:

“ This is The Trew Copy of y^e

“ originall cōferred and collationed

“ James Stewart

“ Ruthven

“ W Maitland *.”

But by this or by any mode of procuring the signatures, which Cecil could possibly practise; he shows us strongly his zeal, for the cause of rebellion in Scotland. He appears more zealous for it, than even the rebels themselves. They had declined to sanction their own forgery, by their own attestations. He knew it to be a forgery, as well as they. Yet he would not allow them, to shrink an inch from their own fabrication of iniquity. They must stand to their deeds with resolution, even when the impelling reason for the deeds, was

* From the same inspection. Murray, who signs here as *James Stewart*, was made Earl of Mar in February 1561-2 (Keith, 215). Yet he still continued to sign as *James Stewart*, many years afterwards (Keith, 300).

no longer operating upon them. And he thus left the whole very strangely, without any supplied list of subscribers to the ratification ; and without any specified date of day, month, or year, to the note of authentication. He was at all this trouble, in order to corroborate what he knew to be a forgery, and to obtrude it upon the credulous for a genuine paper. He therefore superadded his own attestation to all, in his title and in his label to the whole. And he finally raised the serpent, that was only crawling upon the ground before him, under the sense of its just humiliation ; furnished it with wings, for flight ; and gave it a larger range of mischief, for a season *.

IV.

Nor are we yet arrived at the full extent, of Cecil's concern in this vile forgery. He was a party in the villany, from the very beginning.

* See the historical mischief, that has been done by this forgery, in Spotswood, 148, who is the first that adopted it for genuine ; in Dr. Robertson, i. 234—235 ; in Mr. Guthry, vi. 122—134 ; and in Dr. Stewart, 179—186. These authors overlook all the internal marks of forgery, upon the agreement and the commission ; and even the very anachronisms themselves, in the dates of the latter. This is done by the first, in the unsuspecting credulity of his nature. And it is done by the others, who were much superiour to him in sagacity to see, and in spirit to seize, any notes of spuriousness ; from that blinding heat for liberty, which burns and blazes so extravagantly in our modern histories, and, wherever liberty is even distantly concerned, precludes all exercise of sagacity, and smothers all exertion of spirit, in their writers.

And, as at the very beginning he imposed upon Elizabeth by it, so he wanted only to prosecute the imposition upon her, by this accessory villany at the end.

When he wrote that remarkable letter of June the 21st, upon which I have dwelt so particularly before; he had found it impossible, to insert the articles that Murray suggested, in the Scotch part of the treaty. These, he had then found, would be “such dishonour to the Prince, as NEITHER
“WILL BE GRANTED, NOR CAN REASONABLY BE
“DEMANDED, for subjects.” He found himself compelled therefore, to “yield so much to the
“French Queen’s honour in behalf of her sub-
“jects,” as to give up the articles entirely; because he foresaw, the French commissioners would rather break off the treaty, than admit them, and because he knew, as he says to Elizabeth, that
“your coffers” are not at present “full” enough, to
“maintain but one year’s war” against the French. And Camden accordingly unites with Cecil in assuring us, that Cecil would not suffer the requisitions of Murray to be insisted upon. But then Cecil instantly banded with Murray, to obtain by fraud what they could not acquire by fairness. The Scotch treaty was to be concluded upon the terms, to which alone the French commissioners would assent. Then Murray was to forge a new treaty, to insert in it all that he wanted, and to impose the false treaty for the genuine upon the parliament. And Cecil was to concur in the business, to represent in his dispatches to Elizabeth the obnoxious

articles as granted, and to play Murray's game of imposition beforehand. Cecil might thus magnify his own services, to Elizabeth. He might seem to be securing important points, for her rebel associates of Scotland. And he might have the credit with her, of effecting for them in appearance, what he found himself all unable to effect in reality.

Accordingly the very man, who in his letter of June the 21st acquaints Elizabeth herself, with the impossibility of gaining some points in favour of the rebels, as points that "could not reasonably be demanded," and "would not be granted" if they were; even he informs Elizabeth herself afterwards, of those very points being inserted in the treaty. Yet he does not do this, by adverting to his own declaration before; marking how much more successful he had been, than he once thought it possible to be; and then noting, with an air of triumph, the unexpected concessions made by the French. No! He draws off from his previous declaration, without noticing it. He chuses not to mark the deviation, that he may not betray the contradiction. He wraps up in the mist of art, what he could not exhibit to the eye. He folds himself in his own disguises, to conceal what he would not have to be known. And he manifests his knavery, by his manner. He had explicitly assured Elizabeth, that he could not demand the terms. He had equally assured her too, that he should not obtain them if he did. Camden also informs us additionally, that they were neither obtained nor demanded. And yet Cecil, without a
9 single

single reference to his own observations before; without a single intimation, how *he* came to ask what was not to be asked, and how *they* came to grant what he was sure they would never grant; and with only the bold agility of fraud; leaps to the conclusion at once, and inserts the articles as actually asked and actually granted.

On the 23d of June, only *two* days after his memorable letter to Elizabeth above, he apprizes Sir W. Petre, one of her council; that the French commissioners have returned an answer to the Scotch, and have assented to their *seventh* article. In this he inserts two of the very points, that “could not be demanded,” and “would not be granted.” They agree, he says, “qu’il y aura
“ung Conseil, de tel nombre qu’il sera advisé, sans
“l’intervention et consentement duquel ne pourra
“rien estre ordonné, en matiere d’estat, n’y en
“quelque aultre que ce soit *.” And, as he adds,
“consentent les dicts Deputés, que le Roy n’y la
“Royne n’ordonneront guerre n’y paix par decá,
“sinon par le conseil et advis des trois estats, sui-
“vant la coustume du pais et de leurs prede-
“cessurs †.” These are plainly two of the offensive articles, with all their offensiveness rank about them. These are two of the three, that Murray proposed to Cecil, and that Cecil rejected, as “nec
“a subditis præponenda, nec a principibus con-
“cedenda.” Yet, by Murray’s and Cecil’s co-operating slight of hand, we have them both here

* Haynes, 331.

† Ibid.

in the treaty, as required by the subjects, and as conceded by the sovereigns, of Scotland. Murray is thus made to require from the French commissioners, what Cecil and Camden assures us was never required from them at all. And the commissioners are here made to concede, what Camden and Cecil assure us would not be, and was not, conceded at all. The commissioners indeed are made to grant them both, without the slightest hesitation. They grant them at the *first* requisition. And the fraudulence of the paper betrays itself at once, by its unnaturalness. But Cecil is not content with this. He will go farther. He therefore adds a marginal note, to the article. "This article," he there tells us, "is very loosely made; but it is *now better accorded*, for the *suerty* of Scotland *." He is not satisfied, with the violent introduction of two such sweeping clauses as these, into the treaty. But, with the customary over-acting of forgery, he pitches his bar a whole length beyond the mark. He makes the article to be still "better accorded for the suerty of Scotland," even than he has given it himself, from the writing of the French commissioners themselves. And they, who were sure not to grant such points; who were so sure not to grant them, that Cecil would not risk the experiment of asking them; and who were not asked, and therefore could not grant: even they grant them at once, we know not why, only two days afterward; and even they

* Haynes, 331.

grant something more, we know not what, additional to them.

On the eighth of July afterwards, Cecil unites with his colleague Wotton, to acquaint Elizabeth herself with the particulars of the treaty. In this dispatch he *corrects* his former, as he corrected an article in the former by a marginal annotation before; and adds the omitted article to the other two. He recites the other two, as parts of the treaty; and then subjoins the third. “In the accords of Scotland” it is provided, he says, thus: “the King or Queene shall never make warre nor peace here, without the consent of the three estats; Item, for governance of the policy of this realme, the three estats shall choose twenty four, of the which the Queene shall choose seven, and the estats five, to make a counsel of twelve, without the greater of which number nothing shall be done for the pollicy*.” And, as he adds for another article, “all things don heere against the lawes shall be discharged, and a law of oblivion shall be established in this parlement, excepting only such as the estats here shall judge unworthy of this privilege†.” We thus see the French commissioners, improving in condescension, and advancing in civility, as we move along. They, who were so stiff before in their principles and practices, that Cecil would not venture to propose, what his associate Murray longed to secure; by the wild enchantments of imposture,

* Haynes, 355.

† Ibid. 356.

are reduced into the most supple and conceding of all human beings. The formidable mastiff is charmed down into my lady's lap-dog. And they, who were *not* solicited to grant such an article as this, even in the *very first* requisition that was made them; are yet represented as granting it afterwards, and even, to all appearance, as granting it without any requisition at all.

Throughout this whole business, Cecil was plainly acting in concert with Murray. But he shows it more plainly, by two slight strokes of his pen. When he pretends to give us the answers of the French, to the requisitions of the Scotch; he notices one article, concerning the restoration of the clergy to their estates, goods, and jurisdictions. But then he affixes a darkly fly note, to the side of it: "this is lyke to be tempered otherwise *." He thus shows us dimly, his own foreknowledge of that scandalous dishonesty, which Murray and his accomplices *then* intended to practise, and actually practised afterwards, against the clergy. But he speaks in a more intelligible language, when he comes to inform Elizabeth herself of the treaty. He then says thus: "Item, all the complaints of
" the deprived clergie shall be hard in this next
" parlement, and reformation shalbe made by
" the three estates, *which we think will be light*
" *ynoughe* †." And he appears from the sun break-in upon us through these two crevices together, to have been let into the secret of that cursed confe-

* Haynes, 332.

† Ibid. 356.

deracy, which was afterwards pointed with so much baseness upon the clergy, in the very moments in which it was first formed.

Such a bold associate with Murray in forgery, and in all flagitiousness, was Cecil! Yet he was not so bold a forger as Murray himself. He did not pretend, like Murray, to new-form the very treaty, and to substitute his falsified copy for the true original. No! He took a lower station in the element of forgery. He left that eagle-genius in falsification, to mount upwards with his daring wing, and to face the very sun of truth with an unshrinking eye. He was more owl-eyed himself in his forgeries. He gives Sir W. Petre, only *his own abridgment* of the French replies to the Scotch: “*abriege des responses faictes par les De-*”
“*putez du Roy et de la Royne, aux Seigneurs de*”
“*la Congregation **.” He also gives Elizabeth, only *his own abstract* of the articles in the treaty. “As for the *substance* of our accorde,” he says, “your Majesty shall please to understande, that yt
“consisteth in these poynts—; this is the *somme*
“of our treaty, which, with the accorde of Scot-
“land, hath spent us sixteen dayes, that is, from
“the 16th of June to the thirde of July, and of
“that tyme *three parts* hath bene spent in accord-
“*ing of the matters of Scotland*,” though he himself represents the French, as granting two of the three grand articles at the very first requisition, and even as granting the third afterwards, though it was not in the requisition at all; “as to the accords of

* Haynes, 331.

“Scotland,

“ Scotland, these be the *principal heads* therof *.” By such a mode of proceeding as this, he could turn and twist the treaty into any form that he pleased. And he accordingly makes Murray to obtain by it at last, all that Murray reached out his ambitious hand to grasp at first; and all that he himself had told Murray and Elizabeth, was not even to be asked, because of the extravagance of it. Elizabeth therefore, though all unconscious of the forgery practised upon her, very naturally remarks to Cecil thus concerning it: “ we see
 “ the Scotts are *liberally* confideryd in *theyr de-*
 “ *mands*, and *almost nothing refused that they*
 “ *asked*; but our reasonable demaunds—is no so
 “ wayed by the Frenche, nor brought to any such
 “ terms of indifferent recompence, as reason and
 “ equity wolde †.” Cecil could not give a false account of the treaty with England, because he was to show the original itself to Elizabeth. But he could fling any colours that he chose, out of all the various dies of forgery, over the articles with the Scotch rebels; because they were not to be exhibited to her at all. Accordingly no copy of the Scotch articles appears from his letters, to have been sent by him, either to Elizabeth or to any of her council. Even on the very day upon which these articles were signed, and the treaty between England and France was subscribed; when he sent away one of his brother-commissioners with the latter to Elizabeth, he sent no copy of the former.

* Haynes, 354—355.

† Ibid. 343.

“ *July 6,*” he says in his diary, “ the treaty at Edin-
“ burgh inter W. Cecill and D. Wotton ex parte
“ Angliæ, et Episcopum Valentia et D. de Randon
“ ex parte Franciæ; and Sir Peter Carew sent
“ *therewith* to the court *.” And, what is still
more, no copy has been since found among his or
any other papers, as either sent or brought by him
to London.

This is a very remarkable circumstance. It
seems of itself to lay open the whole knavery. I
shall therefore dwell upon it.—Cecil must necessa-
rily have taken a copy of the Scotch articles, and
have either sent or brought it to London, in order
to exhibit it to Elizabeth, and to deposit it after-
wards among the state-papers of her reign; *if*
he had not had some knavish reason, for not doing so.
Motion would always be performed in a right line,
if some obstructions did not interpose to divert it
into a curve. And, as we discern the obstructions
in the diversion, so we know the knavery from the
deviation. Had Cecil taken a copy for this pur-
pose, he must naturally have had it authenticated, as
he had one authenticated afterwards, by the addi-
tion of some signatures to it. He must *now* have
had the signatures of the *French* commissioners, as
well as of the Scotch. But to have done *this*, would
have been to preclude the whole system of villany
projected, and to prevent entirely the substitution of
a forged treaty for the true. The copy *now* taken
must necessarily be a copy of the true. This was
what he could not show to Elizabeth. It would di-

* Murrin, 751.

rectly confront all his epistolary representations of the treaty. It would convict him of falshood. It would sink his services done to the Scotch, as low as their real level. It would blast his character with Elizabeth, by both. But it would be still *more* hurtful. If *he* asked for a copy so authenticated, the French commissioners would undoubtedly ask for one too. And then, then the grand movement intended in forgery, would be barred up for ever. Cecil therefore acted in a very different manner. He could not suffer the French to take a copy for Mary. He could not suffer himself to take one for Elizabeth. He must affect to consider the Scotch articles, as in truth they virtually were, as merely a few formal concessions on the side of the French commissioners; as something granted by them to the Scotch rebels, *when* it was properly accepted by the parliament; but as nothing to be signed by the Scotch, *before* it was so accepted. And accordingly we find the Scotch nobles to have *then* signed the treaty, *when* it came before them in the parliament. “We underwritten,” they *then* say, “as well for ourselves as for “the rest of the nobility of Scotland, do promise and “shall oblige ourselves to what is above.” In this view of the Scotch treaty, to have a copy of it taken at present, for either the French or the English commissioners, might easily be made, by the artful representations of policy, to seem impertinent and ridiculous. The parliament must first subscribe it. It will then become a regular paper of state. Then the French commissioners will receive

ceive a copy of course, in the ratification sent from the parliament to Mary. And then the English commissioners may have another, from the Scotch. In this manner only, could the train be laid, that actually blew up the Scotch part of the treaty into the air, and lodged another in the room of it. In this manner might it be easily laid. And what confirms all this reasoning entirely, and decisively proves Cecil to have had no copy of the treaty at the time; he actually *supplied his want of such an one*, with a copy taken by Murray, Ruthven, and Lethington afterwards, and with one taken *after* the parliament had accepted and signed the spurious treaty for the true.

This fact speaks sufficiently to the point. Cecil neither took nor received a copy of the Scotch articles, at the time. Such a copy would not suit the forgery designed. He therefore chose to have one taken afterwards. *Then, and then only*, would it coincide with the imposition, already put upon Elizabeth. She would naturally demand a sight of the articles. He would put her off with the expectation of one, that was to be sent him from the parliament, as soon as the original had been accepted and subscribed there. One accordingly came. By this time, all that was projected had been executed. The forged articles had been ratified in parliament, and the pretended commission had been recited to it. A copy of both was now sent to Cecil, upon the same paper. This was what he wanted. He knew the commission to be spurious, yet he received it for genuine. And, though

though he knew the articles to be false, he accepted them as true. But the articles and the commission had been sent by the forgers, without any attestation made of their authenticity. In this naked shape, they were unfit for the eye of Elizabeth. They must have some garniture thrown around them, by way of confirmation; to calculate them for her inspection. Cecil therefore supplied the defect, by writing a clause of attestation with his own pen, at the bottom of the paper. Then he gave back the paper to the bringer, and afterwards sent it back to the senders, in a great hurry, for those signatures of authentication to the whole; which their consciousness of the forgery, and their want of solicitation to repeat an iniquity when the original occasion for it was past, had induced them to omit before. The senders equally returned the paper in a great hurry, with their authenticating signatures annexed. Thus he had no time to require, and they had none to write out, a list of the parliamentary subscribers to it. The urgency of the occasion would not permit either to do so. It equally prevented any note of time, from being put to the attesting clause or to the attesting subscriptions. Elizabeth was calling for a sight of the copy. Elizabeth would naturally call for a paper, that had been long promised her; and with the more impatience, for the long delay. It came back. It was now authenticated. It was now shown. And Cecil, by connivance and concurrence, dipped his hands boldly in that foul cistern of forgery, in which the Scotch had been plunging before, and
were

were even now plunging, with so much pollution and audaciousness; and dipped them, not with the view of imposing upon posterity, as may seem at first to have been his aim; but with the view, that alone can strike upon the *sensorium* of a knave, that of acting to the present moment, of gratifying an immediate interest, and of now corroborating the imposition for his own sake to Elizabeth, which for his own sake he had begun upon Elizabeth before.

All serves to show us, how cautious we should be of admitting any papers for authentick, that are unfavourable to the name of Mary or her mother, and come out of the repository of this patron and practiser of forgery against them. He patronized those forgeries of Murray's, which were exhibited to the commissioners of Elizabeth. He practised forgery himself upon Elizabeth, in his dispatches; in the title, which he prefixed to the pretended commission and spurious articles; and in the label, which he affixed to the back of them. And as Elizabeth, who could afterwards manage this diabolical engine of forgery herself, appears to have suffered a little from its explosions at first; so Cecil, we see, was the engineer, that must have introduced her originally to a knowledge of this formidable artillery, and was previously introduced himself by Lethington, that great father of forgery in Britain, at the time of the Scotch treaty in 1560. But the whole serves also to show us, how even more cautious we should also be, of admitting any papers for authentick, that have merely the evi-

dence of the Scotch reformers themselves, for their authenticity. Those reformers have been already convicted of so many forgeries, that we cannot be too suspicious of their impositions. We now see, that their practices of forgery began with their outrages of rebellion, and almost even with their very origin; that the fellest and foulest serpents of earth, as it were, swarmed around the very *cradle* of Scotch presbyterianism; and that this young Hercules of vice, as he lay there, smiled with satisfaction at the sight of the monsters, clasped them to his breast, and kissed them as his favourites. Nor was his progress in life, un-answerable to his outset in infancy. The letters, the sonnets, the contracts, and the long list of other forgeries before and behind *, were only those productions of the *man*, that were naturally to be expected from such an *infant*. But there are many forgeries beside, I doubt not, which have been imposed upon the world by these rebel-reformers of Scotland, and still maintain their credit on the page of history. Their horrible mass of fiction has been little examined yet. The papist seems to have been restrained from examining it, by the fear of offending a party, who, in Scotland particularly, have shown themselves as tyrannical in power as they had proved themselves rebellious out of it. And the protestant has been long sleeping, under the poisonous shade of imposture. An awakening spirit of suspicion, however, will now go forth. The

* See next N° in this Appendix.

protestant will start away, from the covert of his manchineel tree. The papist will throw off the fetters, that have lain so long upon his mind and pen. The forgeries of the Scotch reformers, will be examined with a critical eye, and be held up with a bold hand. And we may thus come at last, and after the purgations of half a century perhaps, to something like an authentick history of the reformation in Scotland *.

* Let me here observe, that Dr. Stuart's history of this reformation, in my opinion, has fallen far short of what the world had reason to expect from such a writer. I read it not indeed, till I had read his history of Mary. I was therefore the more disappointed with that, in proportion as I had been pleased with this. There is little of the good-sense and discernment, which the historian of Mary displays, to be traced in the historian of the reformation. Nor can I refrain from saying, however reluctantly, of my predecessor in the work of vindication; that there is more judiciousness and sagacity in one or two notes of Mr. Hume's history (v. 26, 30, and 32), than in the whole of his. And all the apology which can be made for him, is, That an eagle requires a train of years, to form it into the king of birds; that even a Stuart could not all at once disengage himself, from the manacles of rebel imposture; that he saw not into the forgeries of the rebels, before he had advanced into the annals of Mary; and that he had no opportunity of showing his acquired insight afterwards, in a *second* edition of his prior history.

N° XV.

CONCERNING SOME OTHER FORGERIES.

HAVING in p. 372—380 shown the ecclesiastical courts of Scotland, to be in actual existence and actual power, so many months before Buchanan and Knox assert them to have been revived by Mary; and even to be in the full exercise of their authority, no less than three years before: we come to see, not merely a rebel falsification of history concerning the point, but a train of formal FORGERIES made by the rebels. And I wish here to prosecute the argument, into this new point of discovery; and to add three forgeries more, to the many that I have detected already.

I.

“At the same time,” says Knox, when he is speaking of the kirk-assembly held on the 25—27th of DECEMBER 1566, “the Bischop of Sanct Androis, BY MEANS OF THE ERLE OF BOTHWELL, procured a wryting from the Quenis Majesty, to be obeyed within the diocesse of his jurisdiction, in all such causes as *besoir*, in *tyme of popery*, wer used in the Consistory; and *tharefoir* to discharge the new commissioners*.” Yet

* Knox, 403.

“ the new commissioners,” or *commissaries* as they are generally called, were never discharged at all. “ All such causes” too, “ as befoir, in tyme of popery, wer used in the Consistory,” were still used there at the original appointment of commissaries. And the very Earl, who is here said to have occasioned the re-erection of the consistory in *December 1566*, appears in that very consistory *ten months before*; making use of its powers, in order to obtain a dispensation from Rome by it.

But, as Knox goes on, “ for the same purpose” the archbishop “ came to Edinburgh in JANUARY, “ having a cumpany of one hundred horses or “ more; intending to tak possessioun, according to “ his gift lately obtained *;” that is, to enter upon the exercise of his new power, to constitute officers, and to open a court, there. Yet he appears in this very city, and in the month of *February before*, actually holding a court, actually examining witnesses, and actually attesting their depositions, under the sign manual of his prothonotary, secretary, and datary. “ Depositiones,” says the record concerning Bothwell above, “ testium juratorum in “ præsentiâ Magistri Alexandri Forrest, Rectoris de “ Logymontrois, Prothonotarii, Secretarii que, et “ Datarii Reverendissimi Domini et Domini Joannis Archiepiscopi Sancti Andreae, Legati,” &c. “ apud Edinburgh, in cubiculo Domini Commendatarii de Lundoris, vicesimo primo die mensis “ Februarii, anno 1565 †.” Nor was this merely

* Knox, 403.

† Tytler, 3d edit. App. 26.

a single and clandestine operation of authority, in the archbishop. It was such, as was frequently used at the time. This the application of a Lady Jane Gordon to it, shows strongly. This the application of a Bothwell, a protestant and a peer, one of the first of peers, and one of the foremost of protestants, shows more strongly. And the officer of the court expressly informs us, that he set his sign manual and subscription to the whole, *just as he was accustomed to do in similar cases.* “Quas
“quidem depositiones testium prædictorum,” he says, “Ego Magister Alexander Forrest, Rector de
“Logy Montrose, Prothonotarius ac Datarius præ-
“dicti Reverendissimi Domini Joannis Sancti An-
“dreæ Archiepiscopi, ac Legati, mediis suis jura-
“mentis, corporaliter recepi, et in his scriptis re-
“degi: testantibus meis signo et subscriptione ma-
“nualibus, UT MORIS EST IN SIMILIBUS, anno,
“mense, die, quibus supra*.” So plainly does this great founder of presbyterianism in Scotland, Knox, come forward to the eye, with the “ho-
“nours” of forgery “blushing strong” upon his brow!

But he comes forward still more. “The pro-
“vest” of Edinburgh, he adds, “being adver-
“tised thareof by the Erle of Murray;” being apprized of the archbishop’s design, to open a commission *which had never been granted*, and to re-enter upon the exercise of powers, *which he had been continually exercising before*; “they,” meaning,

* Tytler, App. 26.

as the context in strictness suggests, the provost and Murray, but really meaning, no doubt, the provost and citizens of Edinburgh, "sent to the "Bischope thrie or four of the *Counsaill*," not privy counsellors surely, sent by the provost, but members of the common-council; desiring him to desist from the "said matter, for fear of trouble "and seditioun that might rise thareupoun;" a desire, if these were privy counsellors, very absurd to be expressed to *him*, and, if they were merely common-council men, infinitely absurd to be intimated by *them*: "quherby he was perswaded to *desist* at "that tyme *." He complied, it seems, with the very absurd requests of these privy counsellors; or he yielded to the infinitely absurd desires, of these common-council men. He was afraid of a sedition and tumult in the town, if he exercised that authority in it, which he had been perpetually exercising in it, without molestation, before. He therefore opened *not* his commission. He formed *no* court. He exerted *no* authority. And Knox, like many a narrative liar of modern days, in the prosecution of his forged tale has forgot the very purpose, for which he forged it. Long habituated to lying, the mind seems to lose even that rectitude and consistency of understanding, which is requisite to the compleat fabrication of falsehoods. *This* was planned apparently, to abuse Mary and Bothwell; to show *her* reviving the jurisdiction of the archbishop,

* Knox, 403. So in 370, "the proveist and counsaill;" 371, "proveist, bayliffe, and counsaill;" 381, "the counsaill "of Edinburgh," &c.

for the sake of Bothwell's future divorcement from his wife; and to exhibit *him*, as obtaining the revival with a view to the same object. Yet it suddenly turns off at the close, from the track in which it had begun to move, and along which it intended to proceed to the end. It ends in no actual revival at all. It ends in an attempt to revive, but an attempt frustrated by the cunning of Murray, and baffled by the steadiness of some *counsellors*. And it thus stands in an amazing contradiction, to its own evident purpose in the whole; to the fact before, of the archbishop's holding one court for Bothwell's dispensation; and to the fact afterwards, of the archbishop's holding another for Bothwell's divorcement. So much more plainly did this unhappy man, who appears to have been actuated with a real zeal for reformation, suffer himself to become a knave in his zeal; to sink into a forger, for the reformation; and to degrade the high professor and warm preacher of a purer Christianity, into a mere PROTESTANT JESUIT.

But it is dreadful to observe the rapid gradations of ascent, in the wickedness of the human heart. Knox appears only a modest forger, when we come to compare his fabrication with those of his disciples and followers. A double portion of his spirit was inherited by them. And they went on in such a bolder strain of forgery afterwards, as enables us to detect their impositions, with a still brighter beam of evidence.

II.

Knox himself presumed not to say, that any farther opposition was made, to this pretended renovation of the spiritual courts. His *silence* in *such* a cause, is a decisive evidence against any. But he is not merely silent. He relates the whole in such a manner, as actually precludes all supposals of any other opposition. He relates it as one whole. The Queen signed an order, for restoring the archbishop's jurisdiction. The archbishop came to Edinburgh, to execute the order. Murray apprized the city of his intention. The city interposed with the archbishop, to prevent the execution. And the archbishop did *not* prosecute the intention, and did *not* proceed to execution. This is compleat in all its parts. It precludes all possibility of addition. Yet Calderwood, and yet the general assembly, break through the impossibility, and make an addition. They even make an astonishing one.

Calderwood, who did not write till nearly a century after Knox, says that KNOX HIMSELF ACTED A VERY CONSPICUOUS PART, in this business. Knox himself, whatever he himself may say, *made a very remarkable opposition* to the Queen's commission. Knox *did not know* of *his own* opposition to it, and yet Calderwood did. Knox did not know, that he himself wrote a circular letter to his brethren, to put them upon struggling against popery

popery in *his* religious manner, and to form a general confederacy against these rising courts of the church. Yet he did do it. Calderwood attests the fact. Calderwood gives us a copy of this very letter. How then can we entertain a doubt? Knox therefore, who was long reputed a prophet as well as a saint by the presbyterians of Scotland, and who even arrogated to himself the honours of a prophet in his life-time*, must have written it in a prophetick delirium, that left no traces of the act upon his mind afterwards.

But let us appeal *from Philip drunk to Philip sober*. Knox in his sober senses has informed us, that in JANUARY 1566-7 Murray apprized the provost of Edinburgh, that the provost sent to the archbishop, and that the archbishop desisted from his purpose. He expressly deduces the whole history of the business, we see, as low as the month of *January*. And he thus precludes for ever the tale, that Calderwood presents to us concerning him, and that Calderwood dates in the month of *December* before.

“That cruell murderer of our brethren, falsely
 “called the Bishop of Sanct Andrews,” says this
 pretended letter of Knox’s, “most unjustly and
 “against all law *both presumed to his former ty-*
 “*rannie*, as a *signatur*, *past* for his *restitution* to
 “his ancient jurisdiction (as it is termed) more
 “fully doeth proport. What end may be looked
 “for of such beginnings, the half blind may see, as

* Knox, 331—332, and Stuart, ii. 76.

“ we suppose: and yet we have heard, that a cer-
 “ tain sum of money and victuals should be assign-
 “ ed be the Queen’s Majestie, for sustentation of
 “ the ministry; but how that any such assignation,
 “ or any promise made therof, can stand in any
 “ stable assurance, when that Roman Antichrist, be
 “ just laws once banished from this realm, shall be
 “ intrusted above us, we can nowayes understand
 “ —: for if we think not, that *this last erecting of*
 “ *that wicked man*, is the very setting up again of
 “ that Roman Antichrist within this realm; we are
 “ deprived of all right judgment—. Therfor we
 “ ought to be the more vigilant and circumspect,
 “ especially seeing a parliament is proclaimed. We
 “ have sent to you the form of a supplication and
 “ articles, which we would *have* presented to the
 “ Queen’s Majestie: if it please you, we would ye
 “ should approve it by your subscriptions; or if
 “ ye would alter it, we desire you so to do, and we
 “ shall allow quhatsoever ye shall propone not re-
 “ pugnant to God. If it shall be thought expedi-
 “ ent, the commissioners of countreys shall con-
 “ veen to reason upon the most weighty matters
 “ that now occurre; the time and place appointed
 “ by you, and due advertisement given unto us;
 “ by God’s grace there shall no fault be found
 “ in us — *.”

This forgery, which has been made for that for-
 ger Knox, just as we have seen others made for his
 brother-forger Buchanan, betrays itself to the exa-

* Keith, 566—567.

mining eye by several marks. The main assertion in it, I have already shown to be false in fact; and shall again show, before I close this dissertation. But I wish at present to seize some subordinate points in the forgery, to hold them up to the public view, and to expose the forgery the more plainly from them.

This letter carries no date upon it. But it clearly pretends to be written, in DECEMBER 1566. “We have *heard*,” it says, “that a certain sum of money and victuals should be assigned be the Queen’s Majestie, for the sustentation of the ministry.” This was actually done by the Queen at Stirling, on December the 20th 1566 *. And only a report of it is supposed to have yet reached Edinburgh, at the time when this letter pretends to be written. It is calculated, therefore, for the period of the general assembly, which met at Edinburgh on December the 25th 1566, which actually *accepted that offer* from the Queen on the 26th, and continued to meet till the 28th afterwards †. But it betrays its *posterious* fabrication, by two special deviations of chronology in it.

“We have sent you,” says this *spurious* Knox, “the form of a supplication” &c. “if it please you, we would ye should approve it by your subscriptions; or, if ye would alter it, we desire you so to do, and we shall allow whatsoever ye shall propone not repugnant to God: if it shall be thought expedient, that commissioners of

* Keith, 562.

† Ibid. 563—570.

“countreys

“ countreys shall convene, to reason upon the most
 “ weighty matters that now occur; THE TIME
 “ AND PLACE APPOINTED by you, and DUE ADVER-
 “ TISEMENT given unto us, by God’s grace THERE
 “ SHALL NO FAULT BE FOUND IN US.” It is not
 necessary to dwell upon the palpable absurdity, of
 desiring a vast multitude of individuals, severally to
 alter the form as they pleased, to appoint a time and
 place for this ecclesiastical CONGRESS, and to no-
 tify the same to Knox. In a forger’s ideal com-
 mon-wealth, this may be done. But, in a real
 republick or a real kingdom, this is more difficult,
 than to square the circle or to ascertain the longi-
 tude. And I go on to notice my principal object
 here.

All implies KNOX TO HAVE BEEN THEN IN SCOT-
 LAND, and to have intended TO REMAIN IN SCOT-
 LAND, for an *indefinite* number of weeks to come.
 Only so, could he have been ready to receive their
 alterations, and to “ allow” them, if *he* thought them
 “ not repugnant to God ?” Only so, could he
 have received too their opinions, concerning a con-
 vention of commissioners ; and their notifications of
 time and place, for holding it ? And only so, could
 he have declared his resolution to attend the con-
 vention in person ? Yet the fact is, that he had
 no such intention at the time, that he intended at
 the time to *leave* Scotland, that he actually applied
 to the *assembly* for *licence* to *leave* it, and that he
 actually *obtained* licence for leaving it. On the
 TWENTY-SEVENTH of December 1566, he made
 a request in form to the assembly, “ to pass to the
 “ realme

“ realme of Ingland, to visite his children, and to
 “ do his uther businefs.” On the TWENTY-SE-
 VENTH of December, the assembly “ all in ane
 “ voyce grants licence to our said brother” Knox,
 “ according to *the Quenis Majesties conduct*,” which
 he had *previously* procured, “ to passe to the said
 “ realme, for purposes forspokin, and utheris his law-
 “ full affaires, what tyme he fall think most com-
 “ modious for his journey; provyding likewayes,
 “ that he *returue* to this realme of Scotland, *before*
 “ *the 25 of this moneth of Junii nixt infewing*,” when
 another assembly was to be held. The assembly
 even drew up a letter, for him to carry; reminding
 the bishops of England, “ how tendir a thing the
 “ conscience of man is,” when they themselves were
 acting in direct opposition to their own principle,
 insulting the Queen for her tendernefs of conscience,
 and persecuting the other papists for theirs; and de-
 siring the bishops “ gentlie to handle the brethern
 “ preachers, touching the habits, surpeloaths [sur-
 “ plices], and uther abulziements [dresses];” and
 declaring in the predominance of their folly, that be-
 cause “ surpclaiths, cornett-cap, and tippett hes bein
 “ badges of idolaters in the verie act of thair ido-
 “ latrie,” as if shirts, shoes, and stockings had not
 been equally so, they ought to be rejected, and
 even feared, by true protestants *. And as Knox
 appears from all, to have *not* intended a stay in
 Scotland, for an indefinite number of weeks, at
 this period; so does he decisively appear *not* to

* Keith, 564—565. This letter is also in Knox, 402—
 403; but much modernized.

have written the letter, which plainly implies him to have thus intended.

But there is another mint-mark of forgery, in the letter. It urges the people “to be the more
“vigilant and circumspect, especially seeing a *par-*
“*liament is proclaimed.*” But when was a parliament first proclaimed, *after* December the 20th 1566? When was one, *after* the murder of Rizzio, March the 9th 1566? A parliament was intended to have been held on March the 12th*. Then Mary designed “to have done some good, anent
“restoring the auld religion †.” The people therefore might well be warned *then*, “to be vigilant and circumspect, especially seeing a parliament is proclaimed.” Nor was one proclaimed afterwards, till the murder of Darnly had been accomplished. Then Lenox requested one to be called, in a letter dated *February the twentieth* 1566–7. And, in a letter *of the very next day*, Mary says thus to Lenox; “evin schortlie before the receipt of zour lettre, we had causit proclame a parliament ‡.” A parliament therefore had been ordered, about the TWENTIETH of February 1566–7. And this circular letter, which pretends to be written a few days after the 20th of December 1566, was apparently written for a period *before* the 12th of March in this very year, or for one *after* the 20th of February in the year following.

* Keith, 331.

† Ibid.

‡ Ibid. 370.

III.

So clearly is this paper convicted of forgery ! But let us now proceed to another. Let us come to the general assembly itself. The register of the assembly says thus : “ ordaines ane humble supplicatioun to be made to the lords of secreit counsell, anent *the commissioun of jurisdictioun*, supponit grantit to the Bischop of Sanct Androes, to the effect that their honours stay the same.” Accordingly a form of supplication is entered in the register, immediately under the order. It says, as Knox has been made to say before : “ that cruell murtherer of our brethren, maist fallsie stylit Archbischop of Sanct Androes, &c. is *reponit and restorit be signatur past to his former tyrannie*; for not only are his *ancient jurisdictiouns* (as they are termit) of the haill Bischopricks of Sanct Androes *grantit unto him*, but also the executioun of judgment, confirmatioun of testaments, and donatioun of his benefices ; as more amplie in his signatur is exprest *.”

Here is that evident confuseness in the language of the supplication and the order, which a reality, a correspondent object existing in nature, could never have permitted. The *spectre* of Knox before has asserted, that there was “ a signatur past,” for the restoration of the archbishop’s jurisdiction. He even cites the very words of it.

* Keith, 566—567.

By this signature, he says, the archbishop was restored “to his ancient jurisdiction, as it is termed.” And he refers to it for a fuller account of the whole, in these expressions; “as a signature past—*more fully doeth proportion.*” Just so, the assembly’s supplication speaks of “his ancient jurisdiction (as they are termed);” and refers for further particulars to the signature itself, “as *more amply in his signature is expressed.*” Yet, after all, the register of the assembly speaks in the order for the supplication, of “the commission of jurisdiction *supponit* grantit to the Bishop of Sanct Androes.” Knox in his letter, and the assembly in their supplication, have both of them *seen* and *read* the commission; and yet this very assembly, in their very register, modestly tells us, that it was only a commission *supposed* to be granted. Vision is thus sunk into belief; and the solid mass of certainty has evaporated away, into the mists of supposition.

We have now, however, two supplications. Knox is made to say, that he has sent “the form of a supplication;” and the assembly votes “ane humble supplication to be made.” But *that* is to be subscribed by the people, and “presented to the Quene’s Majestie;” and *this* is “to be made to the lords of secreit counsell.” They are, therefore, very different from each other. We have thus three different modes of proceeding, against the pretendedly renewed jurisdiction of the archbishop, adopted by the three agents in the three forgeries respectively. One forms a suppli-

cation to the Queen, from the people at large. The second forms a supplication, from the assembly to the privy council. And the third sets the provost and his *counsellors*, upon frightening the archbishop from his commission at once. Nor have we a single trace of any of these modes of proceeding, in any history, record, or transaction, but what are comprized in their own assertions.

The archbishop comes to Edinburgh, in order to begin a new æra in the ecclesiastical annals of Scotland, to renew the abolished authority of the spiritual courts, and to renew it with great pomp and formality. He has therefore “a company of “one hundred horses or more” with him. Yet the very provost of Edinburgh does not know of his intentions, till he is apprized of them by the Earl of Murray. He knows not indeed of the commission, granted for that purpose by the Queen. And Murray apprized the provost, that the archbishop was come, “intending to tak possession, *according to his gift lately obtained.*” The provost therefore interposed to prevent this grand operation; and prevailed.

The late assembly had presented a supplication to the privy council, desiring them to *stop* the commission *already granted*, and to keep the archbishop from acting upon it. The privy council was either unwilling or unable, to stop it. Yet the provost had both the ability and the will, to do so. He accordingly sent “thrie or four of the coun-
“saill,” to the archbishop. Three or four common council men, undoubtedly, make a very formidable

midable host of Janissaries. These advanced in their gowns. These showed all their

Ten thousand mighty nothings in their face.

And these conquered, where the privy council either could not subdue, or dared not to attack; became superiour to the archbishop; and even rose triumphant over the Queen herself. The archbishop desisted from his purpose. The Queen receded from her intention. And the new commission was virtually resolved into waste paper. Such were the *Guildhall giants* of Edinborough, in days of yore!

But when the assembly vote and draw up their supplication, to the privy council; they know not of Knox's circular letter to the people, and of his proposed supplication to the Queen. Had they known of either, they would necessarily have mentioned them in their own supplication. They would have requested the privy council, to suspend the *immediate* execution of the commission; *because* a general supplication was designed to be made to the Queen; and a strong hope was entertained, she would be induced by *this* to rescind *that* for ever. In a supplication so stated, there would have been some gleam of good-sense. But there is not a single ray of the kind, in theirs. They therefore knew not of Knox's. And they were as ignorant of his supplication, as the provost was of the Queen's commission, and of the archbishop's intention to open it.

But, what is more, the provost knows as little of Knox's supplication, as the assembly do. The

assembly have voted an address to the privy council. Knox does infinitely more than this. He does, what he and the assembly together did not dare to do. He leaves the petty audacity of addressing the privy council, and desiring them to supersede a commission of the Queen's. He soars above it. He writes a circular letter to the people. He calls upon them to make a grand struggle, for their endangered religion. And he proposes an extraordinary convention of IRISH DELEGATES. Yet the provost and his common-council men;

Sleek-headed men that sleep a-nights,

aye, and a-days too; have never heard concerning it. They therefore wait not for the result of this bold measure, that must have agitated the whole kingdom, and kept all the nation in a most extraordinary suspense of expectation. And three or four of them step forward instantly; to execute the business at a blow.

But, what is still more singular, even Knox himself knows nothing of the very assembly's supplication. He mentions it not in his circular letter, as he must have done if he had known of it. He must have noticed the address; and hinted at the unlikelihood, of obtaining an effectual suppression from it. On this principle he would have grounded the necessity, of a more vigorous application to authority. And he must necessarily have written in this obvious conformity to fact, if he had known of the fact itself. It is also evident from his *history*, that he did *not* know of the assembly's supplication.

He

He comes down into *January*, with his account of this business ; and yet knows not, what was done by the assembly itself, in the *end* of *December* before. He was personally present in the assembly, on the 27th of December ; *the very day, on which the supplication is said to have been ordered and made** ; and yet knows nothing concerning it. He heard not the order. He saw not the supplication. And he never heard of either afterwards. In his circular letter and in his history, he knows of neither. In his history too, as I have observed before, he knows not of *his own* circular letter. And he may well therefore not know, of what the assembly voted, drew up, and signed, the very day that he was present himself in the meeting.

IV.

Thus do the provost and his common-council, the assembly, and Knox, all appear ignorant respectively, of what each is made to say and to do. And the three great agents in this triple forgery, stand before us like so many madmen ; that have been plotting about the same object, in their several cells of darkness ; and are now come out, to tell their discordant projects to the world.

Accordingly Spotswood, who approaches the nearest of any of our later historians, to the date of the assembly's supplication, and of Knox's circular letter ; but who knows no more of the latter, than Knox does of both ; and who with that prompt

* Keith, 564.

credulity, with which he has believed in so many forgeries of Knox's and Buchanan's before, believes also in the reality of the revived jurisdiction, and in the authenticity of the assembly's supplication against it; even he says thus of both: "I find not
 " what answer it [the supplication] received, nor
 " that the Bishop made use of his commission *." He might well not find, what answer was returned to what was never presented. He might well not find any use made of a commission, that was never granted.

Dr. Robertson however says, that "the protestant clergy,—as they *despaired* of obtaining
 " the proper remedy from the *Queen* herself," the Doctor *not believing*, we see, in the circular letter sent by Knox, so arguing upon it as a *non-entity*, and drawing an inference of despair in the clergy from its *non-existence*; "—addressed a remonstrance to *the whole body* of the protestant nobility;" an address indeed, running in *terms* "to
 " the nobilitie of this realme that professes the Lord
 " Jesus with them," but in reality, as we have seen before from the register, made only "to the lords
 " of secreit counsell." "What effects," adds the Doctor, "this vehement exhortation might have
 " produced, *we have no opportunity of judging*; the
 " attention of the nation being quickly turned, towards events of another and more tragical nature †."

Dr. Stuart speaks exactly in the same strain. On

* Spotswood, 198.

† i. 393—394. This is exactly the same too, in edit. xith, p. 405.

the revival of the archbishop's jurisdiction, he says, "their," the presbyterian clergy's, "apprehensions were extreme; and they did not hesitate to *sound them abroad*, and to call upon the nobility by a fervent supplication, to attend to the impending danger." He, equally with Dr. Robertson, passes over the circular letter of Knox. He equally rejects it, as a non-entity. He equally substitutes the assembly's supplication, in its room. And he equally makes *this* a circular letter, like *that*; and equally addresses *this* to "the nobility" of the realm in general, while in fact it is addressed only to the privy council in particular, and while *that* is addressed to "you that have professed the Lord Jesus within this realme, alsweil nobilitie, as gentlemen, burgesse, and commons*." But, as he goes on with Dr. Robertson, "the effects of their alarm, and the scheme itself of trampling upon the Reformation, were suppressed and forgotten, in the noise and horror of that tragical scene, which was soon to throw the kingdom into convulsions, and to involve the Queen in inextricable misery †."

Spotswood led the way to both, in this hasty and un-critical mode of writing history. "The change it seems," he also says, "which shortly after happened in the state, did quite frustrate the same" commission ‡. But Spotswood, we see, speaks only of the *commission* being suppressed by the subsequent commotions. Dr. Robertson follows him in the general observation, yet confines

* Keith, 567.

† i. 184.

‡ Spotswood, 198.

it all to the *remonstrance*. And then Dr. Stuart comes, and extends the observation to both. So much does history vary from itself, as it moves through different hands! But all unite, let me remark, in suppressing another fact of forgery. They have already rejected the circular letter of Knox. They now reject Knox's history of the archbishop and the provost. And two thirds of the whole forgery are silently given up, by the very believers and users of the third. Nor do two of these writers merely give them up in silence. They deny the truth of them. Spotswood says, that the succeeding events, "it seems, — did quite frustrate" the commission; when Knox's history asserts the commission to have been frustrated before, and by the provost. And Dr. Stuart similarly tells us, that "the scheme itself of *trampling* upon the reformation," was suppressed in the subsequent convulsions of the kingdom; when the *cloven-foot* of the fiend, according to Knox's history, was drawn in during the month of January before, and from the successful interposition of that grand *exorcist*, the provost. All therefore that Knox relates in his history, concerning the archbishop's coming to Edinburgh, in order to open this very commission; concerning the Earl of Murray apprizing the provost; and concerning the provost being the cause of suppressing the commission; is from the beginning to the end of it false. And these very writers have set to their seals in conjunction, to attest the falshood of it.

Nor is their own third of the forgery, less false than

than the rest. Their own account of it shows it to be false. A commission is granted. An alarm is taken. A violent remonstrance is circulated through the nation. Yet what ensues? *Nothing at all*. No trace of either the commission or the remonstrance, is found at all afterwards. The commission, we know not how, sinks in silence to the grave. And the remonstrance, we know not why, spends itself un-observed in air. Nor can we, with any share of common-sense, attribute the non-appearance of either afterwards, to the dethronement of Mary or the murder of Darnly. That a commission granted in *December*, should be so totally annihilated by an incident in *February*, as never to be opened in the *intermediate* period; is a supposition, infinitely absurd in itself. That a remonstrance circulated in *December*, should not be heard of in its violent progress through the kingdom, during the whole of *January* and a part of *February*, merely because something more violent happened *afterwards*; is a supposition, charged (if possible) with still greater absurdity. The remonstrance and the commission, indeed, might well not be traceable in their effects, because they never existed. They never existed, any more than Knox's circular letter, or Knox's anecdote of the archbishop. They show they did not, by being equally un-traceable with them, in the incidents of the times. And they all appear merely as so many meteors, that have been kindled in the hot element of a forger's brain, and have there shot their course, invisible to the world.

At

At this very period truly, when the Queen is said to have revived the jurisdiction of the archbishop, and the assembly is said to have supplicated the privy council against it; the privy council, the archbishop, and the Queen, were all at *Stirling* together. They were all assembled there, for the baptizing of the young prince. There the Queen and the privy council appear convened together, on the 21st of December and on the 10th of January *. And the assembly's supplication to the privy council, which was drawn up on the 27th of December, and was to be carried to *Stirling* in order to be presented to them, should in common-sense have been a supplication to the Queen herself, who was there with them. The archbishop too was at *Stirling* on the 17th of December, and there baptized the young prince upon that day †. There he stayed with the Queen, no doubt, during all the festivity. He had assuredly attended her to *Stirling*, and now returned with her to *Edinburgh*; as he certainly attended her a few days afterward, from *Edinburgh* to *Glasgow*, and from *Glasgow* again to *Edinburgh* ‡. He *then* attended her, as the first letter assures us, with “all the Hammiltounis §;” being a Hamilton himself. With “all the Hammiltounis,” therefore, he waited upon her to *Stirling* at first, on the 7th or 8th of December. With “all the Hammiltounis,” he equally escorted her to *Edinburgh*

* Keith, 562 and 570. † Goodall, i. 320. ‡ Buchanan's Admonition, 3, Ruddiman, ii.; and Detection, 65, Anderson, ii.; Jebb, i. 259. § Section xxx—ii.

afterwards,

afterwards, on the 14th of January. With “all the Hammiltounis,” he set off again in attendance upon her for Glasgow, on the 21st. And, with “all the Hammiltounis,” he also conducted her back on the 30th *. “Hence he is said by the *historical* Knox, to have come “to Edinburgh in “*January, having a company of one hundred horses “or more.*” He came evidently with such a train, not to open a commission, if he had had one; but to escort his Sovereign. He came with the Queen. He went away with the Queen. He returned with the Queen. Nor, even if he had had a commission, and even if he had come to open it, would the city in such circumstances have applied to *him* to desist. They would not even have applied, like the assembly, to that privy council in which their informer Murray sat on the 10th at Stirling †, and with which and the Queen, no doubt, he returned to Edinburgh on the 14th. No! They would have applied, as Knox in his circular letter proposes to apply, to the very Queen; because she was equally at Edinburgh with the archbishop, and because she alone could revoke the commission, that she had granted him.

V.

So plainly spurious do all these accounts appear, in every light of history or of common-sense, by which we can view them. But I now hasten to the grand and fundamental point of all, the re-

* Keith, pref. vii. and rebel journal.

† Keith, 570.

vived jurisdiction of the archbishop. This I have already shown to be absolutely false in fact. And I shall now show it again, with an addition of evidence.

When presbyterianism first fixed itself in Scotland, by those arts of fraudulence and by those deeds of violence, which so shamefully mark its earliest history there; it had only a very imperfect sort of establishment for years. The bishops still remained as presidents in the church. The bishops still continued as peers in parliament. This we see at a glance, on the rolls of the very last parliament, which Mary ever summoned. It met on the 14th of April 1567, and was dissolved on the 19th. Then, say the rolls of it, " Archiepis. Sancti
" Andreæ, Epif. Dunkeldensis, Ep. Candidæ Ca-
" sæ, Ep. Dumblanensis, Ep. Brechinensis, Ep.
" Orchadensis, Ep. Sodorensis, Ep. Abirdonensis,"
and " Ep. Rossensis," attended as the first estate of the whole *. Nor were they, we may be sure, deprived of their subordinate privileges; when they thus retained their principal honours. In fact, they equally retained their subordinate too. And they particularly held their courts, as before. Accordingly we see the very kirk-assembly of the presbyterians, in the beginning of July 1562, entering this resolution on their books: " anent the *action*
" of DIVORCEMENT, it was thought good to make
" supplication to the secret counsell, that *either*
" they TRANSFERRE the JUDGMENT OF DIVORCE-

* Anderfon, i. 113.

“MENT TO THE KIRK AND THEIR SESSIONS, or
 “ellis,” &c.* The judgment of DIVORCES, there-
 fore, still remained with the bishops, even in July
 1562. In consequence of that, we see the assem-
 bly again on June the 26th 1563, appointing sever-
 al persons “to take cognitioun of Mr. Magnus
 “Haltra and Margaret Sinclair’s *appellation*, from
 “THE BISHOP OF ORKNAY’S SENTENCE IN A
 “CAUSE OF DIVORCE †.” On December the 28th
 following, the Queen appointed commissaries, in
 order to accelerate the decision of causes, that went
 on slowly in *the spiritual courts* before. In Febru-
 ary 1566, we see the prothonotary, secretary, and
 datary of the archbishop, swearing witnesses, taking
 depositions, and attesting them “with his seal and
 “subscription manual, as he was accustomed to do
 “in similar cases;” in order to ground upon them,
 a dispensation from Rome. In May 1567 also,
 we see the same court again hearing, taking down,
 and attesting depositions; and finally pronouncing
 a sentence of DIVORCE, from them. And, as Queen
 Mary says herself concerning this very divorce,
 in her authoritative instructions to her embassa-
 dour sent into France, “the mariage with him,
 “the formar contract and band, was BE YE OR-
 “DOURE OF LAW, EXPRESSIT IN THE CANONIS,
 “RESSAVIT AND PRACTEYSIT IN THE REALME,
 “for lauchfull caufs of CONSANGUINITIE, and
 “utheris relevant, dissolvit;” or, as she says again
 in her instructions to her embassadour ordered into

* Keith, 515.

† Ibid. 524.

England, "BE YE LAWIS RESSAVIT WITHIN OURE
"REALME, AND OFTIMES PRACTISIT, as is NO-
"TOUR ANEUCH, his former marriage was dis-
"solvit,—for resolute causis of CONSANGUINITIE
"and utheris *."

We thus have a regular chain of evidence, for the continuation of the spiritual courts to the last, and for the forgery of Knox's tale concerning the archbishop and the provost, for the forgery of Knox's circular letter, and for the forgery of the assembly's supplication. Knox himself began the work of forgery upon this subject, in order to darken over the fair fame of Mary. Some genuine son of Knox followed him in the career of knavery, inserted the order and the supplication in the register of the assembly, and so imposed upon Spotswood. Not content with both, Calderwood advanced still farther in the lists of baseness, and fabricated the circular letter for Knox; taking frequently the very words of the assembly's supplication, ranging in a higher course with them, so doubling one forgery upon another, and heightening both into the very elevation of absurdity. But not acting upon one uniform plan, and standing all at some distance from the period meant by all; they encounter, they contradict, and they overthrow each other. And they have thus left at last, one of the most singular monuments in existence, of the bold genius of Scotch presbyterianism, for the first century of its appearance in the world;

* Anderson, i. 100—101, and 106—107.

of its dreadful eagerness to calumniate the highest worth, that accidentally opposed its progress; and of its horrible readiness, to call in the most accursed forgeries to its aid *.

N^o XVI.

* “These things,” says Spotswood in the *MS.* copy of his history, concerning some praises bestowed by him upon the Queen Dowager, “I have heard my father often affirm, whose testimony deserved credit: and have many times received the like from an honourable and religious lady, who had the honour to wait near her person, and often professed to me, that the Queen-Regent was much wronged in John Knox his story. The author, whosoever he was (for I am persuaded it was none of Knox his writings), in his whole discourse sheweth a bitter and hateful spite against her, FORGING dishonest things WHICH WAS NEVER SO MUCH AS SUSPECTED BY ANY,” &c. (Keith, App. 89, and the two last clauses in the *printed* copy, 146—147).

“This good prelate,” says Keith upon the passage, “has elsewhere assigned his reasons why this book could not be written by John Knox.” He has assigned them in p. 267, where his only reason is a supposed anachronism; the history referring in one place to Fox’s Book of Martyr’s, “which came not to light [till] some ten or twelve years after Mr. Knox his death.” But this argument is refuted clearly by Nicholson, in his *Scottish Library*: as “there was an edition of that work in Latin at Strasburg in 1554, and another at Basil in 1559, both which were long before Knox’s death; tho’ the first English edition (in 1583) was indeed about a dozen years after it” (190, edit. 1st). Thus, as Keith goes on to remark upon Spotswood, “these reasons” of his “are now, without all controversy, found to be groundless. Besides, Mr. Knox’s friends are at the utmost pains, to secure to him the right of his labours in penning this work. And it is surely a matter beyond all farther doubt” (Keith, App. 89).

“However,” continues Nicholson, “it must be confessed, that, tho’ this argument will not hold good, yet there are some

N° XVI.

SECRETARY DAVISON'S APOLOGY.

N. B. I have *numbered* the two parts of it, and broken each part into paragraphs.

I.

“ ON Wednesday the first of this present *,
“ about ten of the [clock, came one of the

“ some other passages in it, which undeniably prove, that
“ some *later* person than Knox has made several interpolations,
“ which are now printed as parts of the original history. So
“ much is unanswerably remarked by a late ingenious writer,
“ Pref. to Fundament. Char. of Presbyt.” (p. 190). And these
interpolations were made, either by Richard Bannatyne and
his assistants, who were appointed by the kirk of Edinburgh
to continue Knox's history from his papers, and to carry it on
from 1564, to which Knox himself had brought it down, to
the time of his death in 1572 (Nicholson, 191—192); or
rather by David Buchanan, who published in 1644 the fifth
book of the history, reaching to August 1567, and who is
known to have interpolated the four books preceding (Knox,
Life of the Author, xlvi—li). The forgeries before 1564,
therefore, and those particularly which relate to the Queen
Dowager, are Knox's own; and those *after* 1564, and this
particularly concerning the archbishop, are most probably
Knox's too, as derived from his papers.

* This shows the apology to have been written, immediately after the events. Mary was put to death on Wednesday, the 8th of February 1586-7. And this apology appears from the words here, to have been written *before the month was expired.*

grooms]

“grooms *] of the chamber unto me, to let me
 “understand, that her Majesty had called for [me
 “by my lord admiral, who was in the *] privy
 “chamber. I found his lordship there, who told
 “me the cause of my sending for; having, first,
 “summarily discoursed unto me some speech, that
 “had past that morning betwixt her Majesty and
 “him, touching the execution of the Scottish Queen;
 “the conclusion whereof was, that she would no
 “longer defer it, and therefore had commanded
 “him to send expressly for me, to bring the war-
 “rant unto her †.

“Whereupon returning to my chamber, I took
 “both that and divers other things, to be signed
 “for her service; and, returning, sent in Mrs.
 “Brooke to signify my being there, to her Ma-
 “jesty; who immediately called for me. At my
 “coming in, her Majesty first asking me, whether
 “I had been abroad that fair morning; advising
 “me to use it oftner; and reprehending me for
 “the contrary; finally demanded, what I had in
 “my hands. I answer’d, Divers warrants, and
 “other things, to be signed for her service. She
 “enquired, whether my lord admiral had not sent
 “for me, and whether I had not brought up the

* * I have supplied the words within hooks, from Mackenzie’s copy (see the end of this Dissertation).

† This warrant appears from another and a more general apology by Davison, written evidently at a period of time much later, and when he had forgotten some of the minuter circumstances; to have been by him “retained—at the least
 “five or six weeks un-presented, nor once offering to carry
 “it up, till she sent,” &c. (Robertson, ii, 482).

“ warrant for the Queen of Scots *. I answer’d,
 “ Yes; and thereupon, [she] calling for it, I de-
 “ liver’d it into her hands; after the reading
 “ whereof, she, calling for pen and ink, signed
 “ it; and, laying it from her, asked me, Whether
 “ I were not heartily sorry it was done? Mine
 “ answer was, That I was sorry a lady, so near in
 “ blood to herself, and of her place and quality,
 “ should so far forget her duty both to God and
 “ her Majesty, as to give her this cause; but
 “ fithens this act of her Majesty was, in all mens
 “ opinions, of that justice and necessity, that she
 “ could not defer it without the manifest danger
 “ of her person and state, I could not be sorry to

* The other apology says, that he was “ sharply reprov’d”
 for not bringing the warrant before; “ by a great peer, and
 “ in her Majesty’s presence” (Robertson, ii. 482). Yet this
 cannot be wholly true. The present apology shows it cannot.
 And Davison’s memory must have failed him here. It failed
 him thus, I apprehend. The “ great peer” is the same, no
 doubt, who is called “ the great counsellor” before, that was
 sent to him about the warrant; and who was, we know from
 the present apology, the lord admiral. He had heard Eliza-
 beth express her anger, at Davison’s not bringing up the war-
 rant before; as she had actually “ given her commandment to
 “ me,” says Davison himself near the end of this present
 apology, “ *many days before* to bring up the warrant unto her.”
 He heard it. And he took upon him in consequence of this,
 “ sharply” to “ reprove” him “ therefor.” Only he did not
 do so, “ in her Majesty’s presence.” It is plain, that he did
 not accompany Davison to the Queen. Davison went from him
 to his own apartments, there took the warrant, &c., sent in
 Mrs. Brooke to the Queen, and then went in himself. And no
 one was present, it is plain, at the conversation that followed
 between the Queen and Davison.

“ see her Majesty take this course, of removing
 “ the cause of that danger, which threatned the
 “ one and the other : protesting nevertheless, that,
 “ for my own part, I was so far from thirsting
 “ after the blood of that unhappy lady, that, if
 “ there had been any other way to preserve her
 “ Majesty and the state from mischief, than by
 “ taking her life ; I could not have wished it.
 “ But the case standing so in the opinion of all
 “ men, that either her Majesty or she must die ; I
 “ must confess freely, that I preferr’d the death of
 “ the guilty before the innocent.

“ After this, she commanded me to carry it to
 “ the seal ; and to give my lord chancellor orders
 “ from her, to use it as secretly as might be * ;
 “ and by the way to shew it to Mr. Secretary
 “ Walsingham, because she thought the grief there-
 “ of would kill him outright, for so it pleas’d her
 “ Majesty to say of him †. This done, she call’d
 “ for the rest of the warrants and other things I
 “ had to sign ; and dispatched them all, with the
 “ best disposition and willingness that might be ;
 “ in the mean time repeating unto me some rea-

* The other apology says, that, when Elizabeth had signed it, she commanded him “ to carry it to the seal, and, being
 “ sealed, to send it immediately away unto the commissioners, ac-
 “ cording to the direction” (Robertson, ii. 482). This is implied, in the direction for the chancellor here, and in the repeated direction to himself, to *use* it secretly.

† Walsingham was then *sick*, as these words imply, and as Camden asserts (Orig. i. 465, and Transf. 393). In all probability he was only *crafty-sick*, for reasons that will appear hereafter.

“ fons, why ſhe had ſo long deferred the matter,
“ as namely for her honour’s ſake, that the world
“ might ſee ſhe had not been violently or mali-
“ ciously drawn into it. She concluded, She was
“ never ſo ill advis’d, as not to ſee and apprehend
“ her own danger, and the neceſſity that ſhe had to
“ proceed to this execution. And thereupon, after
“ ſome other intermingled ſpeech here and there,
“ ſhe told me, That ſhe would have it done as ſe-
“ cretly as may be; and, miſliking that it ſhould
“ be executed in the open court or green of the
“ caſtle, expreſſly willed that it ſhould be done in
“ the hall: which I take to be certain arguments,
“ both of her meaning it ſhould be done, and in
“ the form preſcribed in the warrant.

“ But, after I had gathered up my papers, and
“ was ready to depart, ſhe fell into ſome com-
“ plaint of Sir Amias Poulet and others, that
“ might have eas’d her of this burthen; wiſhing
“ me yet to deal with Mr. Secretary, and that we
“ would jointly write unto Sir Amias and Sir Drue
“ Drury, to ſound their diſpoſitions; aiming ſtill
“ at this, that it might be ſo done, as the blame
“ might be removed from herſelf. And tho’ I
“ had always before refuſed to meddle therein,
“ upon fundry her Maſteſty’s former motions, as a
“ thing I utterly condemned; yet was I content,
“ as I told her, for her ſatisſying to let Sir Amias
“ underſtand, what ſhe expected at his hands: al-
“ beit I did before aſſure myſelf, it ſhould be ſo
“ much labour loſt, knowing the wiſdom and in-
“ tegrity of the gentlemen, who, I thought, would
“ not

“ not do an unlawful act for any respect in the
 “ world. But finding her Majesty desirous to have
 “ him founded in this behalf, I departed from her
 “ Majesty, with promise to signify so much unto
 “ Mr. Secretary, and that we would both acquaint
 “ Sir Amias with this her pleasure. And here re-
 “ peating unto me again, that she would have the
 “ matter closely handled, because of her danger;
 “ I promis’d to use it as secretly as I could, and so
 “ for that time departed *.

“ That afternoon I repaired to my lord chancel-
 “ lor, where I procur’d the warrant to be seal’d;
 “ having in my way visited Mr. Secretary, and

* The other apology says, that Elizabeth “ in conclusion
 “ absolutely forbid him, to trouble her any further, or let her
 “ hear any more hereof, till all was done” (Robertson, ii.
 482). But this cannot possibly be true, as a letter was to be
 written to Paulet about the assassination, and an answer to be
 returned, before the warrant was to be sent away.

Camden’s account of all this business is much more wrong.
 He makes Elizabeth send a *letter under her own hand* to Davi-
 son, commanding *a warrant under the great seal to be drawn up*
by him; when the warrant was drawn up by Cecil, given by
 him “ with her Majesty’s own privy” unto Davison (Robert-
 son, ii. 481), kept by Davison five or six weeks, and then
 called for by Elizabeth as above. This, says Camden, was
 to lie in readiness, if any danger should chance to break out.
 But the reason is as ridiculous, as the fact is false. And she,
 adds Camden, commanded him to acquaint no one with it;
 when she actually told him to acquaint Walsingham, and when
 she necessarily told him to acquaint the chancellor. See Orig.
 i. 455, and Transf. 382. Camden has here taken up for truths,
 the wretched falsehoods which Elizabeth obtruded afterwards
 upon the world, as a subterfuge for her guilt.

“ agreed with him about the form of the letter,
 “ that should be written for her Majesty’s satisfy-
 “ ing to Sir Amias Poulet and Mr. Drury, which
 “ at my return from my lord chancellor was dis-
 “ patch’d *. The next morning I received a
 “ letter

* The letter is thus entitled, “ a copy of a letter from Sir
 “ F. Walsingham and Secretary Davison to Sir Amias Poulet,”
 and runs thus.

“ After our hearty commendations, we find by speech lately
 “ uttered by her Majesty, that she doth note in you both a
 “ lack of that care and zeal for her service, that she looketh
 “ for at your hands ; in that you have not in all this time (of
 “ yourselves without other provocation) found out some way
 “ to shorten the [life of *] that Queen ; considering the great
 “ peril she is hourly subject to, so long as the said Queen shall
 “ live. Wherein, besides a kind of lack of love towards her,
 “ she noteth greatly, that you have not that care of your own
 “ particular safeties, or rather of the preservation of religion,
 “ and the publick good and prosperity of your country, that
 “ reason and policy commandeth ; especially, having so good
 “ a warrant and ground, for the satisfaction of your consciences
 “ towards God, and the discharge of your credit and reputa-
 “ tion towards the world, as the oath of the association, which
 “ you both have so solemnly taken and vowed ; especially, the
 “ matter, wherewith she standeth charged, being clearly and
 “ manifestly proved against her. And therefore she taketh
 “ it most unkindly, that men, professing that love towards her
 “ that you do, should in a kind of sort, for lack of the dis-
 “ charge of your duty, cast the burthen upon her ; knowing,
 “ as you do, her indisposition to shed blood, especially of one
 “ of that sex and quality, and so near to her in blood as the
 “ said Queen is. These respects, we find, do greatly trouble
 “ her Majesty, who, we assure you, hath sundry times protested,
 “ that, if the regard of the danger of her good subjects and

* I have supplied the words in hooks. The printed copy is without them.
 And, as the editor says, “ ’tis thus in the MS.”

“ faithful

“ letter from Cranmer my servant, whom I left at
 “ court, signifying unto me her Majesty’s pleasure,
 “ that I should forbear to go to my lord chan-
 “ cellor till I had spoken with her; and, within an
 “ hour after, came William Killigrew with the like
 “ message from her; whom I return’d with this
 “ answer, that I would be at the court as soon as
 “ himself, and give her Majesty an account of what
 “ I had done. At my coming to her, she asked
 “ me, Whether I had been with my lord chancel-
 “ lor? I told her, Yes. She demanded, what need-
 “ ed that hast? I answered, That I had done no
 “ more than she commanded, and thought it no
 “ matter to be dally’d withal. But, faith she, me-
 “ thinks the best and safest way for me, is to have it

“ faithful servants did not more move her than her own peril,
 “ she would never be drawn to assent to the shedding of her
 “ blood. We thought it very meet to acquaint you with these
 “ speeches, lately passed from her Majesty; referring the same
 “ to your good judgment. And so we commit you to the pro-
 “ tection of the Almighty.

“ Your most assured friends,

“ At London, 1 Feb^{ry}.

“ Fra. Walsingham.

“ 1586.”

“ William Davison.”

“ To the Right Honourable
 “ Sir Amias Poulet, Kt. one
 “ of her Majesty’s most Ho-
 “ nourable Privy Council.”

This letter, which ought to be preserved, as an eternal mo-
 nument of the insidious savageness of the writer, Walsingham,
 and of the suggester, Elizabeth, was “ found amongst Sir Amias
 “ Poulet’s writings,” thus indorsed by Sir Amias, “ this letter
 “ was received at Fotheringay the 2d of February at 5 in the
 “ afternoon.”

“ otherways handled ; particularizing a form, that,
 “ as she pretended, liked her better ; naming unto
 “ me some that were of that opinion, whose judg-
 “ ment she recommended. I answered, that I took
 “ the honourable and just way to be the best and
 “ safest way, if she meant to have it done at all.
 “ Whereto her Majesty, replying nothing for that
 “ time, left me, and went to dinner *.

“ Within a day or two after, her Majesty, being
 “ in the privy chamber, call’d me unto her ; and
 “ smiling told me, how she had been troubled that
 “ night with me, upon a dream she had that the
 “ Scots Queen was executed ; pretending to have
 “ been so troubled with the news, as, if she had
 “ had a sword, she could have run me through.
 “ But this being delivered in a pleasant and smiling
 “ manner, I answered her Majesty, that it was good
 “ for me I was not near her, so long as that hu-
 “ mour lasted. But, taking hold of her speech, I

* How a man, who could talk in this strain of probity to Elizabeth, should ever have become one of her secretaries of state ; must excite surprize in us. Camden’s account is very remarkable. “ Thus was Davison,” he says a few weeks beyond this period, “ a man of good ingenuity, but not well
 “ skilled in court-arts, brought upon the court-stage of *purpose*
 “ (as *most* men thought) to act for a time *this* part in the tra-
 “ gedy ; and soon after, the part being acted, and his stage-
 “ attire laid aside, as if he had failed in the last act, he was
 “ thrust down from the stage, and, not without the pity of
 “ many, shut up a long time in prison.” He was also fined ten thousand pounds, sentenced to prison during Elizabeth’s pleasure, and “ *never* recovered” her favour, “ though she
 “ sometimes relieved his wants” (Orig. i. 465, Transf. 392).

“ ask’d

“ ask’d her Majesty in great earnest, what it meant,
 “ and whether, having proceeded thus far, she had
 “ not a meaning to go forward with the execution?
 “ Her answer, confirmed with a solemn oath, in
 “ some vehemency was Yes: but she thought it
 “ might receive a better form; because, saith she,
 “ this casteth the whole burthen upon myself.
 “ Whereunto I replied, that the form prescribed
 “ by her warrant was what the law required, and
 “ the only form that was to be kept in honour and
 “ justice. She answered, that there were wiser
 “ men than myself of another opinion. I told her,
 “ that I could not answer for other men; but this
 “ I was sure of, that I never heard any man give a
 “ sound reason, to prove it honourable or safe for
 “ her Majesty, to take any other course than that,
 “ which standeth with law and justice. And so,
 “ without further replication or speech, her Ma-
 “ jesty rose up, and left me *.”

“ The

* The day, here meant by the words “ within a day or two
 “ after,” was the *very next day, Thursday*. In the other apo-
 logy Davison says, that he kept the warrant after it was sealed,
 which was sealed in the afternoon of *Wednesday*, “ all that
 “ night, and *the greatest part of the next day*, in his hands;
 “ brought it back with him to the court, acquainted her Majesty
 “ withal, and, finding her Majesty *resolved* to proceed therein,
 “ according to her former directions, and yet desirous to carry
 “ the matter so, as she might *throw the burthen from herself*,
 “ he absolutely resolved to quit his hands thereof: and here-
 “ upon went over unto the lord treasurer’s chamber, toge-
 “ ther with Mr. Vice-chamberlain Hatton, and in his pre-
 “ sence restored the same into the hands of the said lord trea-
 “ surer, of whom he had before received it; who from thence-
 “ forth kept it, till himself and the rest of the council sent it
 “ away”

“ The same afternoon, as I take it, she ask’d
 “ me, whether I had heard from Sir Amias Pou-
 “ let? I told her, No. But within an hour or
 “ two after, going to London, I met with letters
 “ from him, in answer to those were written to him
 “ by Mr. Secretary and myself*.

“ The
 “ away” (Robertson, ii. 482). These two passages serve each
 to correct the other. He did not deliver up the warrant to
 Cecil, *the day after it was signed*, that is, *Thursday*, in the *after-*
noon, and *just* after he had been with Elizabeth. On *Thursday*
 he was with her in the *morning*. Nor was it “ a day or two
 “ after” *Thursday*, when he saw Elizabeth for the *third* time
 concerning the warrant and the great seal. It was only
 only *the very day* after it, *Friday*. This is plain from the na-
 ture of the conversation which passed, and from the sending
 away of the warrant after it. In *that* conversation, as in *this*, she
 declared herself *resolved* to proceed with putting Mary to death,
 and yet wanted to *throw the burden off from herself*. This fixes
 both to be the same. *After* the conversation, he gave the
 warrant to the lord treasurer, and *that very evening* the lord
 treasurer sent it away; Beale, the bearer of it, reaching the
 Earl of Kent’s near Fotheringay-castle *the very next* day, that
 is, *Saturday*, with the warrant, &c. in his pocket (Robertson,
 ii. 475).

* It was *certainly* “ the same afternoon,” the afternoon of
Friday. The letter from the two secretaries, and an additional
 letter from Davison alone, are both dated on the *first* of Feb-
 ruary, which was *Wednesday*. They were received at Fother-
 ingay-castle, as we see in a note above, “ the *second* of Feb-
 “ ruary at five in the afternoon.” Paulet’s answer, as we shall
 soon see, was dated “ the *second* of February” too, and “ at
 “ six in the afternoon.” And it would reach London, in the
 afternoon of the *third*, that is, of *Friday*. The letter arrived
 accordingly on *Friday*. Davison showed it to Walsingham of
 course, immediately. It came directed to Walsingham, though
 it was received by Davison. He also communicated the con-
 tents of it, to Cecil and others of the council. It was *then*
 resolved

“ The next morning having access to her Ma-
 “ jesty upon some other occasion, I told her that I
 “ had letters from Mr. Poulet; which her Majesty
 “ desiring to see, took and read *. But finding
 “ thereby,

resolved by them, to wait no longer, but send off the warrant by Beale that evening. This appears from the present apology, and a fact mentioned before. On the *Tuesday* following, says Davison, “ knowing what order had been taken by my
 “ lords, in sending the commission to the earls, I answered” &c. Afterwards he says also, “ as for my proceeding therein
 “ with the rest of my lords,” &c. And the warrant, as I have showed before, reached one of the earls on *Saturday* evening.

* This letter also has been luckily preserved, being also “ found amongst Sir Amias Poulet’s writings,” and thus entitled and copied by him.

“ A copy of a letter to Sir Francis Walsingham of the 2d
 “ of February 1586, at six in the afternoon, to the [in] answer
 “ of a letter from the said Sir Francis of the first of February
 “ 1586, received at Fotheringhay the second day of the said
 “ month at five in the afternoon.”

“ S I R,

“ Your letters of yesterday coming to my hands this present
 “ day at five in the afternoon, I would not fail, according to
 “ your direction, to return my answer with all possible speed;
 “ which I shall deliver unto you with great grief and bitter-
 “ ness of mind, in that I am so unhappy to have lived to see
 “ this unhappy day, in which I am required, by direction from
 “ my most gracious Sovereign, to do an act which God and the
 “ law forbiddeth. My goods, livings, and life are at her Ma-
 “ jesty’s disposition; and I am ready to lose them this next
 “ morrow, if it shall so please her; acknowledging that I hold
 “ them as of her mere and most gracious favour, and do not
 “ desire to enjoy them, but with her Highness’s good liking.
 “ But God forbid, that I should make so foul a shipwreck of
 “ my conscience, or leave so great a blot to my poor posterity,
 “ to shed blood without law and warrant; trusting that her
 “ Majesty

“ thereby, that he was grieved with the motion
 “ made unto him, offering his life and all he had
 “ to be disposed by his [her] Majesty, but abso-
 “ lutely refusing to be an instrument, in any such
 “ action as was not warranted in honour and jus-
 “ tice ; her Majesty, falling into some terms of of-
 “ fence, complaining of the daintiness, and, as she
 “ term’d it, perjury, of him and others, who, con-
 “ trary to their oath of association, did cast the
 “ burthen upon herself ; she rose up, and, after a
 “ turn or two, went into the gallery ; whether I fol-
 “ lowed her. And there [she] renewed her former
 “ speech ; blaming the niceness of those precise
 “ fellows, who in words would do great things for
 “ her safety, but in deed perform nothing : and
 “ concluded, she would have it done without them.
 “ And here, entring into particularities, [she]

““ Majesty of her accustomed clemency, and the rather by your
 ““ good mediation, will take this my dutiful answer in good
 ““ part, as proceeding from one who will never be inferior to
 ““ any Christian subject living, in duty, honour, love, and obe-
 ““ dience towards his Sovereign. And thus I commit you to
 ““ the mercy of the Almighty.

““ Your most assured poor friend,

““ A. Poulet.””

““ From Fotheringhay

““ 2d of February,

““ 1586.””

““ Your letters, coming in the plural number, seem to be
 ““ meant as well to Sir Drue Drury, as to myself ; and yet
 ““ because he is not named in them, neither the letter directed
 ““ unto him, he forbeareth to make any particular answer, but
 ““ subscribeth in heart to my opinion.””

““ D. Drury.””

“ named

“ named unto me, as I remember, one Wingfield,
 “ who, she assured me, would with some others
 “ undertake it *. Which gave me occasion to
 “ shew unto her Majesty, how dishonourable in my
 “ poor opinion any such course would be, and how
 “ far off she would be from shunning the blame
 “ and stain thereof, which she so much sought to
 “ avoid: and here, falling particularly into the case
 “ of Sir Amias Poulet and Sir Drue Drury, told
 “ her; that it was a marvellous extremity, she
 “ would have exposed these gentlemen unto. For
 “ if, in a tender care for her surety, they should
 “ have done that she desired; she must either allow
 “ their act, or dis-allow it. If she allowed it, she
 “ took the matter upon herself, with her infinite
 “ dishonour. If she disallow’d it, she overthrew
 “ these faithful gentlemen, who, she knew, did
 “ truly and faithfully love her; and not only them-
 “ selves, but their estate and posterity. And
 “ therefore [I] thought this, a dangerous and dis-
 “ honourable course, both for herself and them.
 “ And so, after some particular speech of Mr. Se-
 “ cretary and others, touching some matters past
 “ heretofore †; her Majesty, calling to understand,
 “ whether

* This Wingfield is perhaps the Robert or John Wingfield,
 “ that assisted at Mary’s execution (Robertson, ii. 478).

† What this means, is too plain from *the very obscurity* of it.
 But it may be made *more distinctly visible*, by some observations.
 In 1586 Mary says at her trial, a few months only before this
 period, as I have noted in the body of the work; that “ *Wal-*
 “ *singham*,—as she heard, had practised both against *her life* and
 “ her

“ whether it were time to go to the closet, broke
“ off our discourse *.

“ At

“ her son’s” (Camden, Orig. i. 424, Transl. 355). In May 1587 an Englishman was seized in Scotland, as I have equally noted before, “ who was sent into Scotland on purpose, to *poison* the
“ King’s Majesty, or to *take him away by some indirect means* ;
“ it was said at the time, that he was induced thereto, by the
“ *Queen of England and her council*” (Moyse, 128). But let me add some things concerning *Leicester*. Fuller says of Sir Nicholas Throgmorton, that he died in 1570 “ at supper, eating
“ of sallad, not without suspicion of *poison* ; the rather because
“ *hapning in the house of one no mean artist in that faculty, R.*
“ *Earl of Leicester*” (Baronettage, ii. 358, edit. 1741). Camden also, a still better authority, says of *Leicester*, that he was suspected of *poisoning* Walter Earl of Essex in 1576 ; and that
“ the suspicion was increased by *Leicester’s* presently putting
“ away Douglas [Baroness Dowager of] Sheffield with money
“ and fair promises (whether his paramour or his wife, I cannot say), on whom he had begotten a son, and now *more*
“ *openly* making love to Lettice, Essex his widow, to whom afterwards he joyned himself in — matrimony” (Orig. i. 264, Transl. 217—218). Leicester too, says Aubrey in his Berkshire, i. 149, “ prescribed to Sir Richard Varney, a promoter
“ to this design” of murdering his first wife, “ at his coming
“ hither,” to Cumner, “ that he should first attempt to *poison*
“ her.” A like attempt appears to have been equally made upon his second wife, Lady Sheffield ; “ for it is certain,” says Dugdale in his Warwickshire, p. 167, “ that she had *some*
“ *ill potions* given her, so that, with the loss of her hair
“ and nails, she hardly escaped death” (General Biog. Dict. 1784, DUDLEY). And Camden adds in 1586, when Elizabeth was considering the mode of putting Mary to death, that
“ *Leicester* thought rather by *poison*, and sent a divine privately to Walsingham, to satisfy him — it was lawfull” (Orig. i. 413, Transl. 346). Such an infernal villain was Leicester, and so worthy to be the mate of Elizabeth !

* That Davison should have allowed himself to talk, in this
higher

“ At my next access to her Majesty (which, I
 “ take it, was Tuesday, the day before my coming
 “ to

higher strain of probity to Elizabeth; is an evidence of what Camden has said of him, that he was “ a man not well skilled
 “ in court-arts.” Yet he was not an honest man. He had been too long one of Elizabeth’s ministers, to be honest. And he actually appears *not* to have been so, from other parts of his conversation with Elizabeth, and from a couple of letters which he wrote *singly* to Paulet. In the first of them, which appears from the date as well as the subject, to have been sent along with the extraordinary letter before, for the assassination of Mary; he writes in this strain to Paulet.

“ An abstract of a letter from Mr. Secretary Davison of the
 “ said first of February 1586, as followeth.”

““ I pray you, let both this and the inclosed be committed
 ““ to the fire; which measure shall be likewise met [meted]
 ““ to your answer, after it hath been communicated to her
 ““ Majesty for her satisfaction.””

But, not content with this, he wrote a postscript to another letter, exactly in the same strain. This letter and postscript appear equally from the subject and date, to have been written immediately after the receipt of Paulet’s answer, at the very moment of sending off the warrant by Beale, and before Davison had yet shewn Paulet’s answer to Elizabeth.

“ A postscript in a letter from Mr. Secretary Davison of the
 “ third of February 1586.”

““ I intreated you in my last letters, to burn both the letters
 ““ sent unto you, for the argument’s sake; which, by your
 ““ answer to Mr. Secretary (which I have seen), appeareth
 ““ not to be done. I pray you let me intreat you, to make
 ““ hereticks both of th’ one and th’ other, as I mean to use
 ““ yours after her Majesty hath seen it.””

“ In the end of the postscript.”

““ I pray you let me know, what you have done with my let-
 ““ ters, because they are not fit to be kept; that I may satisfy
 ““ her Majesty therein, who might otherwise take offence
 ““ thereat:

“ to court), having certain things to be sign’d ;
 “ her Majesty entered of herself into some earnest
 “ discourse, of the danger she daily liv’d in, and
 “ how

“ thereat : and, if you intreat this postscript in the same kind,
 “ you shall not err a whit.”

“ A. Poulet.

“ D. Drury.”

Davison thus shows his conscious knavery, by his lively apprehensiveness. He had been long in the school of knavery, and had necessarily learnt some of its lessons. Yet he appears from the conversation in the text here, and from another before, to have not been entirely tainted in his principles by it. He was therefore *worthy* to be brought forward, by a conspiracy betwixt Elizabeth and her more flagitious ministers, in order to be sacrificed for those remains of honesty about him, which were such a disgrace to the school and its preceptress ; to be sacrificed by *them*, for his incongruous acting with them ; to be sacrificed by *her*, for his yet un-subdued relicks of honour in his conversation with her ; and to become the grand scape-goat of both, on whose head were laid all the enormities of both, and by whom they were all supposed to be carried away for ever.

Let me only observe in addition to this, that Davison appears to have actually burned *their* letter ; and, had they burned his and Walsingham’s, and not kept a copy of their own, we had lost some valuable monuments of the time ; that Davison, but not Walsingham, had the honest timorousness of conscience, to wish to suppress the letter concerning the recommended assassination of Mary ; and that he was *very* anxious to suppress it. The much more knavish Walsingham never thought of this. The lamp of conscience was no longer burning, in the bosom of the latter. It was in that of the former. And yet it was burning so tremulously there, that he wished to have the guilty letter destroyed, when to destroy could not hide it from the eye of God. He reflected not in the hurry of his apprehensions, that, could he bury it under the foundations of the earth, yet the day was coming, in which those very

“ how it was more than time this matter were dis-
 “ patched ; swearing a great oath, that it was a
 “ shame for them all it was not already done ; and
 “ therefore spake unto me, to have a letter writ-
 “ ten, for the dispatch thereof, because the longer
 “ it was deferr’d, the more her danger encreas’d.
 “ Whereto, knowing what order had been taken
 “ by my lords, in sending the commission to the
 “ earls ; I answer’d, that there was no necessity, as
 “ I thought, of such a letter, the warrant being so
 “ general and sufficient as it was. Her Majesty
 “ reply’d little else, but that she thought Mr. Pou-
 “ let would look for it *.

II. And

foundations would be overturned, and, then peculiarly, would

murderous deeds arise,

Though all the earth o’erwhelm’d them, to mens eyes.

* From these words above, “ at my next access to her Ma-
 “ jesty, which, I take it, was Tuesday, the day before *my*
 “ *coming to court,*” and from these words soon afterwards,
 “ until the hour of *my departure from court,*” as uniting to mark
 the concluding period of all his story ; it appears, that Eli-
 zabeth rated him very harshly on *Wednesday*, the day so
 strongly marked, as the well-known “ day of his coming to
 “ court” and “ of his departure from it ;” on account of the
 warrant, ordered away the Friday evening before, for the exe-
 cution of Mary. On this very Wednesday was she executed.
 Elizabeth had now been apprized, that the warrant was sent
 away. It was high time to apprise her ; though her signing
 the warrant was a sufficient justification in itself, for sending it
 away. And, in her usual tergiversation of conduct, she chose
 to forget all her conversation of *the very day before* ; her
 “ earnest discourse of the danger she daily liv’d in,” her de-
 claration, that “ it was more than time this matter were dis-

II.

“ And this, as near as I can possibly remember,
 “ is a faithful and true report of the whole sub-
 “ stance, of that hath past betwixt her Majesty and
 “ me, from the day of signing the warrant, and
 “ commandment given to me to carry it to the seal,
 “ until the hour of my departure from court. In
 “ all

“ patched ;” her “ swearing a great oath, that it was a shame
 “ for them all it was not already done ;” and her “ speaking
 “ unto Davison” himself, “ to have a letter written to Mr.
 “ Poulet for the dispatch thereof, because, the longer it was
 “ deferr’d, the more her danger encreas’d.” She now cen-
 sured him for *not* “ deferring” the execution longer, for *avert-*
ing this “ increasing danger,” for *removing* the “ shame” from
 “ them all,” and for doing *that* which “ it was more than
 “ time” had *then* been done *already*. But she so censured him
 not, till she was sure the execution had already taken place, or
 would irrevocably take place in a few hours afterward.

Yet, what shows still more the artifice of the whole, she
 censured him *exclusively*. She here does so at first, we see.
 She did so afterwards, and to the last. Indeed she also expressed
 her anger intermediately against the council in general. She
 issued a commission, “ for their calling to the Star-chamber
 “ for the same.” But she afterwards issued another, for their
 “ private appearance—, instead thereof, before the lord
 “ chancellor Bromley” (Robertson, ii. 482—483). Then,
 by another touch of mildness to *them*, *just after* the trial of
 Davison was *over*, “ Wray, lord privy seal, signified” in
 court, “ That albeit the Queen had been offended (and that
 “ not without just cause) with her council, and had thereupon
 “ left them to examination ; yet *now* she *forgave* them, and
 “ withall *acknowledged*, that *they* had been *very carefull* and *di-*
 “ *ligent* in their actions and counsels, for the *preservation* of
 “ religion

“ all which I must protest unfeignedly before God,
 “ that I neither remember any such commandment
 “ given me by her Majesty, as is pretended; neither
 “ did

“ *religion and the commonwealth, and for preventing of all dangers*” (Camden, Orig. i. 464—465, Transf. 392). And she centered all her resentment on the single head of Davison.

But what is Davison pretended to have done? He had given up the warrant, now *signed and sealed*, to that very lord treasurer Cecil, who drew it up originally, and who had given it to him *for her signing*; when he had been sent at the signing, by the Queen’s own express orders, to carry it to the lord chancellor *for his sealing*. He had not given it up, however, till *an answer had been received from Paulet*; and till Elizabeth, *posteriorly* as well as previously to her order for a letter to Paulet, had charged him, and had charged the chancellor by him, to *use it with all possible secrecy*.

Yet Camden, imposed upon by the hypocrisy of Elizabeth, says that Davison “ acquainted the council with the warrant “ and the whole matter, and easily *persuaded* them,—that the “ Queen had commanded it should be executed.” Davison however gave not up the warrant to the council, and called not a council at all. He gave the warrant to Cecil. Cecil called the council. And Cecil produced the warrant to them. But, as Camden adds, “ she at that very time told Davison, that she “ would take another course with the Queen of Scots” (Orig. i. 445, Transf. 382). Cecil accordingly made a confession, which, in the loose and arbitrary modes of proceeding usual with Elizabeth, was produced in court against Davison, instead of a personal testimony from Cecil; and which averred, that Cecil “ doubting whether the Queen had absolutely resolved to have execution done, Davison confidently affirmed “ it” (Camden, Orig. i. 462, Transf. 390). And as Davison was arraigned for sending away the warrant, when Elizabeth “ never intended that the Queen of Scots — should have been “ put to death;” so Elizabeth, in her letter immediately afterwards, to Mary’s son, called her death “ this lamentable

“ did I ever conceive such an intent or meaning
 “ in her. And that mine innocency herein may
 “ the better appear, let it be considered, first, what
 “ the commandment is, and next, upon what con-
 “ sideration it was grounded.

“ The commandment (as I understand it) hath
 “ two parts ; one, that I should conceal it from
 “ the rest of her Majesty’s council ; another, that
 “ I should retain it by myself until some tumult-
 “ tuous time, as a thing her Majesty meant not
 “ otherwise to put in execution : both which I

“ accident, which is happened contrary to my meaning and
 “ intention,” and “ which, since my pen trembleth to mention
 “ it, you shall fully understand by this my kinsman” (Cam-
 den, Orig. i. 461 and 460, Trans. 389 and 388). Yet, all the
 while, not Davison, but the council, sent the warrant away ;
 and the council sent it, only in consequence of Cecil’s resigna-
 tion of it, to them or to their clerk, Beale.

All therefore makes up the boldest scene of hypocisy, that
 was ever exhibited to the world. We peculiarly know it to
 be so, from this apology. Elizabeth meant, and always meant,
 the death of Mary. She particularly declared so, only the day
 before her execution. Nor was there any need of Davison’s
 attesting to Cecil, that she meant to have the warrant exe-
 cuted. Cecil knew this sufficiently before. The very signing
 of the warrant, also, proved this decisively. Nor was Davi-
 son false in attesting, *if he did attest*, her meaning from his
 own knowledge. Elizabeth had declared over and over again,
 that she meant to have it *used*. She had repeatedly ordered it
 to *be* used with secrecy. She had even gone on for that reason,
 to forbid the open court, and to point out the hall, for the
 place of execution. And though she had intimated to Davison,
 that “ she would take another course with the Queen of Scots ;”
 yet we, who know that course to have been *assassination*, can
 only execrate her the more for it.

“ must

“ must in all duty and humbleness, under her most
 “ gracious favour *, absolutely deny †.

“ And, for the first, I trust her Majesty, in her
 “ princely and honourable nature, will not deny *,

* These passages show clearly, that this apology was intended to be seen by Elizabeth. Such an intention adds much to its credit. And it naturally suggests to us, that Davison has rather *softened* than exaggerated some particulars in his narrative.

† Yet Camden makes Davison on his trial to allow, “ That,
 “ when the Queen blamed him for making such haste, to get
 “ the warrant under the great seal [to have the warrant passed
 “ under the great seal], she gave some signification, but not
 “ express command, that he should keep it in his own hands”
 (Orig. i. 462, Transf. 390). This acknowledgment, if at all true in itself, can refer only to the conversation on *Thursday* morning, and to *the hint of assassination by others*, then given. But Davison could not explain the hint to the court. This we see strikingly exemplified, in one part of his trial. Then “ Egerton, the Queen’s solicitor,” says Camden, “ began to
 “ press Davison with his own confession,” one different from this apology, and equally from that in Dr. Robertson’s Appendix (ii. 480); “ reading a piece thereof. But Davison prayed
 “ him to read the whole, and not parcels picked out here and
 “ there: but *he had rather*, he said, *it should not be read at all*;
 “ because *there were contained in it some secrets, not fit to be di-*
 “ *vulged abroad*” (Orig. i. 462, Transf. 390). And, while Elizabeth presumed to tell the boldest lies, and was believed in all that she said, *which was the whole evidence, that could be brought against Davison*; he durst not speak the truth, in his own vindication. She thus took advantage equally, of his timorous delicacy, of her own confidence in falsehoods, and of the mean ductility of the judges, to ruin him entirely. He had refused to concur with her, in her plot of assassination. He had presumed to remonstrate with her, against it. He had preached up honour and conscience to her. And she was resolved to chastise the monitor and the man.

“ but that she first sent for me by my lord ad-
 “ miral, to bring the warrant unto her ; which
 “ proveth that his lordship was acquainted with
 “ her purpose : and next, that she gave express
 “ word, both to carry it forthwith to the seal, with
 “ a message to my lord chancellor, who conse-
 “ quently must be acquainted with all ; and also,
 “ by the way, to impart it to Mr. Secretary. So
 “ as, these three being made privy unto it by her
 “ good liking, and myself, as I say, not restrained
 “ to the contrary, by any such commandment as
 “ is pretended ; what reason had I to conceal it
 “ from my lord treasurer, to whom my lord ad-
 “ miral had first imparted it, or from my Lord of
 “ Leicester, to whom her Majesty is [familiar,
 “ and had *] signify’d as much, as likewise after-
 “ wards to Mr. Vice-chamberlain [Hatton †] ; as
 “ they are acquainted with the rest of the whole
 “ proceeding, and as far interested in the cause as
 “ myself or any of the others ‡ ? Unless her Ma-
 “ jesty

* I have filled up this blank. † I have filled up this also.

‡ This shows the whole pretence against Davison, of his having communicated the secret of sealing the warrant, as if such a secret *should* be kept ; to be only an after thought, and a mere cover for accusing Davison. *She herself* had told Hatton, had told Leicester, had told the lord admiral. She had actually sent the last with an order, for Davison and the warrant to come to her, and the warrant expressly for her sealing. He had received no command to keep his message a secret. And he had told the lord treasurer Cecil. Cecil, therefore, the very man that we have detected in such knaveries before, must have known of Elizabeth’s message, and of Davison’s coming,

“ jesty had a meaning, that Mr. Secretary and I
“ should have dealt alone, in the sending of it to
“ the earls : which for my own part I confess I
“ never liked, knowing her Majesty’s purpose,
“ often uttered to myself, to remove as much of
“ the burden as she might, from her own shoulders
“ upon others ; which I knew mine own unfit to
“ sustain.

“ Now seeing the end of signing and sealing this
“ warrant, in all reasonable probability and judg-
“ ment, was to go forward withal ; that the delay
“ thereof did infinitely encrease her Majesty’s peril,
“ and thereby hazard the whole estate ; seeing it
“ was imparted to some by her Majesty’s own or-
“ der, and no cause or possibility, being sealed, to
“ keep it from the rest, as much interested in the
“ cause as myself ; and finally, seeing I could nei-
“ ther, as I take it, in law nor in the duty of a
“ good subject conceal it from them, the cause

before Davison gave him any assurance of the Queen’s resolution. And as Elizabeth had told the lord admiral, and the lord admiral had told Davison from her, that she had spoken with “ sharpness” against Davison, for not bringing up the warrant before, and that she had declared “ she would no longer defer” the execution (see the beginning of this apology) ; so the lord admiral must necessarily have imparted this to Cecil. Yet Cecil appeared as a witness against Davison, by his written confession at least ; as if Davison had been the first and the only one who assured him, of Elizabeth’s resolution to have the warrant executed. He was, no doubt, in the secrets of his congenial mistress ; and said or did, whatever she wished him to do or say. He seems indeed to have been the principal tool of that wretched Queen.

“ importing so greatly her Majesty’s life as it did,
 “ and the disposition both of the time and state of
 “ things, at home and abroad, being such as it
 “ was: I trust it shall sufficiently appear, that I
 “ was both in reason, duty, and necessity forced
 “ thereunto; unless I would have wilfully en-
 “ danger’d myself, whose offence, if ought in the
 “ mean time had happen’d amiss to her Majesty,
 “ must have been, in my own censure, worthy of a
 “ thousand deaths *.

“ And, as for my proceeding therein with the
 “ rest of my lords; after it was resolved, that it
 “ was neither fit nor convenient to trouble her
 “ Majesty any further withal, considering she had
 “ done all that the law required at her hands †;
 “ and that she had both to myself and others signi-
 “ fy’d at other times, her indisposition to be ac-

* This argument, though tinged a little with that fear for the danger of Elizabeth, which was merely chimerical in the extravagance here hinted at, carries a great force with it.

† This points out to us a new circumstance, in the conduct of this business. On Davison’s showing the answer from Paullet, and giving the warrant to Cecil, upon Friday afternoon; it was resolved by the council, he being present, “ neither fit
 “ nor convenient to trouble her Majesty any further withal.” And it is this resolution of the council, which Davison afterwards confounded in his memory, and has falsely ascribed to Elizabeth herself; when he says so absurdly in his other apology, as I have shown before, that on Wednesday she “ in
 “ conclusion absolutely forbad him, to trouble her any further,
 “ or let her hear any more hereof, till it was done; *she for her
 “ part having, as she said, performed all that in law or reason
 “ could be required of her*” (Robertson, ii. 482). The close of both peculiarly shows both to be the same.

“ quainted

“ acquainted with the particular circumstances, of
 “ time, place, &c. * ; and that to detain the war-
 “ rant in expectation of any further directions from
 “ herself, was both needless and dangerous, con-
 “ sidering the hourly hazard her Majesty liv’d in ;
 “ and finally, that my lords, knowing her Majesty’s
 “ unwillingness to bear all the burthen alone, were
 “ content most resolutely, honourably, and duti-
 “ fully, to ease her as much as they might † : with
 “ what reason and justice should I have hindered
 “ the course of justice, tending so greatly to her
 “ Majesty’s safety, and preservation of the whole
 “ realm ?

“ And for the other part, of keeping it by me
 “ to such end as is before alleged, I trust the
 “ world does not hold me so undutiful to her Ma-
 “ jesty, or ill-advised for my particular ; as to take
 “ such a charge upon me, to the evident peril of
 “ her Majesty’s life, subversion of the whole estate,
 “ and my own utter overthrow. Neither is there
 “ cause to think (I speak it in all reverence, and

* This also tells us a new circumstance. Elizabeth had
 “ signified” to “ Davison and others” at “ other” times *be-
 fore*, her desire *not* to be acquainted with the “ place” &c. of
 the execution. Yet she had altered her desire in this respect,
 when on Wednesday, the first of February, she could forbid the
 green, and point out the hall, as the scene of execution.

† This shows the lords to have been all well acquainted, with
 Elizabeth’s desire for throwing the load of murder off from her
 own shoulders, by substituting assassination for execution ; and
 artfully to have given it another turn, in order to bring the
 execution forwards.

“ under

“ under her Majesty’s most gracious favour *), that
 “ her Majesty having proceeded so far as she had
 “ done to the trial of that lady’s fact, found her
 “ guilty by a most honourable jury of her nobility,
 “ assembled her parliament only for that purpose,
 “ graciously heard their petitions, and dismissed
 “ them with so great hope; published afterwards
 “ the proclamation for her dishabilment, rejected
 “ the suits both of the French and Scottish kings
 “ for her life, and returned their ambassadors hope-
 “ less; confirmed that impression by her letters to
 “ both princes (some of which it pleased her to
 “ communicate with myself); protested many hun-
 “ dred times her necessity, and resolution, to go
 “ through withall † (albeit, for fundry good re-
 “ spects, she had so long deferr’d it); having given
 “ her commandment to me many days before, to
 “ bring the warrant to her ‡, and then voluntarily
 “ sent for it by my lord admiral; signing it as
 “ soon as I brought it, with her express command-
 “ ment given me, to carry it to the seal, and to
 “ have it secretly handled; and, finally, her par-
 “ ticular direction, while she was signing other
 “ things at the same time, to have the execution

* This unites with two passages before, to show the apology was intended for the eye of Elizabeth.

† This, as to the “ resolution” vouched “ many hundred times,” is quite a new circumstance.

‡ This is also a new circumstance. And I have accordingly noticed it and the preceding, as such, in the body of the work, i. 3. 6.

“ done

“ done in the hall, misliking that it should be on
 “ the green or open court; with a number of
 “ other, foregoing and following, circumstances;
 “ may sufficiently testify her Majesty’s disposition
 “ to have it proceeded in, albeit she had to myself
 “ and others declared her unwillingness, to be made
 “ acquainted with the time and other circumstances,
 “ having done all that the law required of her,
 “ or that in honour was fit and expedient for
 “ her *.”

N^o XVII.

* Let me here, at the end of the apology, remark finally concerning Davison, That, though he was not an honest man, yet he was so nearly one, as to be a very prodigy for the ministry of Elizabeth. He refused, it appears, to sign that very bond of association, which was signed by all the nation, and which even the despairing Mary offered, on her liberty being granted, to sign herself. Yet *he* refused, though Leicester pushed on the association, and though Elizabeth urged him to sign it. Among the pleas which he advances for himself in his other apology, he particularly states “ his former *absolute* “ refusal to sign the band of association, being *earnestly* pressed “ thereunto by her Majesty’s self” (Robertson, ii. 483). This indeed is a very strong evidence, of a manly virtuousness in him. But he did other things, in the same spirit of virtue. He declined to act as a commissioner, on the examination of Babington and his accomplices, for their conspiracy in favour of Mary; and took a journey to Bath, in order to save himself from acting (Robertson, ii. 483). He was a means too of preventing the commissioners, who were sent to try Mary at Fotheringay-castle, from pronouncing sentence upon her immediately after the trial; and of obliging them to return first to London, and report their proceedings to Elizabeth (Robertson, ii. 483). We have already seen, that he kept the warrant for the execution of Mary, five or six weeks in his hands; without offering to present it to Elizabeth, for her signing. We have

equally

N° XVII.

“ THE BOND OF 9 EARLES, 9 BUSHOPPS, 18 LORDS,
 “ AND OTHERS FOR DEFENCE OF THE QUEENE
 “ OF SCOTTS.”

“ VIII. MAII 1568.”

“ TILL all and fundrie quhome it effaires, to
 “ quhais knowledge thir present lettres fall cum :
 “ We ye prellatts, erls, lords, barons, gentilmen,
 “ and

equally seen, that he actually neglected to obey a personal command of Elizabeth's, for bringing the warrant to her ; and that he thus neglected for “ many days,” even till the Queen fired at his conduct, and sent him a peremptory order to bring it. Even then, and even when Paulet's answer had been received, and all delay was now at an end for ever ; he would not be concerned in sending away the warrant himself, but returned it into the hands from which he had received it, and left Cecil and the council to send it. And, as in all the time “ *before* her trial, he neither is nor can be charged, to have “ had any hand at all in the cause of the said Queen, or done “ any thing whatsoever concerning the same, directly or indirectly ;” so, “ *after* the return thence of the—commissioners, “ it is well known to all her council, that *he never was at “ any deliberation or meeting whatsoever, in parliament or council, concerning the cause of the said Queen, till the sending “ down of her Majesty's warrant unto the commissioners, by “ the lords and others of her council*” (Robertson, ii. 481).

These deeds of honesty, no doubt, had successively marked him out for vengeance, to the rest of the ministry and to the Queen. He was therefore selected by Cecil, “ with her Majesty's own privy,” to be the Secretary with whom the warrant should be lodged for signing (Robertson, ii. 481).

He

“ and burrowis after specifeit, haveing considerit
“ that it has pleasit God Almytie, of his infinite
“ power,

He was thus exposed to a train of decisive trials. It would be seen, whether he *offered* to present the warrant to Elizabeth, for her signature. Should he *not* offer, a command might be given him by Elizabeth, to bring it up. Should he hesitate to obey *this*, a sharp rebuke and a peremptory order might be sent him. If he was refractory in all these points, then the wrath of Elizabeth would burst out upon him, and sweep him away from her presence for ever. If he complied in any, his farther compliance might be tried, in ordering him to the great seal with the warrant, and in directing him to use the warrant, when sealed, with secrecy. Should he be found pliable in *this* trial, the grand scheme of assassination, the favourite wish of Elizabeth's heart, which had repeatedly been talked over by her other ministers before Elizabeth and him, which they all united to approve, though none of them offered to undertake, and which had been so talked over and so approved of, merely to put Davison upon undertaking it; might finally be urged upon Davison in private, by Elizabeth herself. Should he bend to this urgency, and engage in the work of assassination; Elizabeth, *as soon as ever the work was done*, would have risen upon him with an *affected* passion, and made his life the forfeit of his compliance. And should he *not* bend, all his present and all his former refractoriness would be remembered at once against him, and unite to draw down the rage of Elizabeth in a storm of *real* resentment upon him. Either way, the man was sure to be ruined. He complied, though only in part. He brought up the warrant, at the *second* order. He carried it to the great seal. He even united with Walsingham, to mention Elizabeth's proposal of assassination to Paulet. But he would go no farther. He actually protested to Elizabeth herself against the proposal, before he mentioned it to Paulet. He protested to her against every scheme of assassination. And he was therefore ruined at last by Elizabeth, in a most impudent stretch of falshood, for *doing what he did not do*,

“ power, to put to libertie our Soveraigne Ladie
 “ y^e Quenis Magestie furth of the hands of her
 “ Hienes

do, and in truth and reality for not doing what he was wanted to do.

Thus fell Davison, a memorable evidence of the cunning, the perfidiousness, and the barbarity, of Elizabeth and her Cecil! But he was fully revenged of them both, in his fall. He wrote the present apology, which serves so greatly to expose the characters of both. It is very convincing in itself, is even drawn up with the air and address of a fine writer, and is peculiarly valuable to the critical investigators of Elizabeth's conduct. It differs very usefully from that in Dr. Robertson's Appendix, in being written within the very month of all the main transactions recorded in it, and being therefore very full, circumstantial, and accurate; while that was written many years afterward, is only general and short, and is often in-accurate. It was not however, as Camden says, a “private” apology sent to “Walsingham” (Orig. i. 465, Transf. 392). It was evidently calculated, as I have shown before, for the inspection of Elizabeth herself. And, as it would naturally be sent to his brother-secretary for her inspection; so was it a bold challenge to her for the truth and exactness of all his averments, and would serve only to increase the load already descending to crush him. The other was written, not only when the little particulars had faded off from the mind, when memory had confounded some circumstances that were distinct in themselves, and a regular narrative, if it could have been given, was no longer of consequence; but, what is very surprizing, when Davison had lost all copy, and even all minutes, of this very apology. It was drawn up too, when he was no longer afraid of showing his forbearance in the cause of Mary, and indeed had reason for displaying it all at large. He therefore goes back much farther in the second apology, than in the first; to the return of Mary's judges from Fotheringay, to the moment of her trial, to the examination of Babington, &c. and to the times preceding all. In this whole period he shows us his secret attachment

“ Hienes disobedient and unnaturall subjects, quha
“ hes presumit and praisit yemfells to hold her
“ maist

attachment to Mary, by such a train of incidents; as seems peculiarly calculated for the eye of Mary's son, on his accession to the throne of England. Yet Elizabeth must have been alive at the writing of it; since she is spoken of as still Queen. And I therefore suppose it to be written, at the latter end of Elizabeth's reign, when all the nation began to turn their eyes towards Scotland for a successor to her; and when Davison would naturally endeavour to make that attachment to Mary, for which he had suffered so severely from Elizabeth, promote his interest with James.

The latter apology was published by Dr. Robertson, from a paper, supposed to be the original, in the Cotton Library (ii. 481). The former has been published in an anonymous history of “the life and reign of Mary Queen of Scots, London, “1725,” where, with an agreeable surprize, I first met with it, where it is said to be taken “from a MS. in the possession “of a person of quality,” that had some *lacunæ* in it, and from whence I have re-printed it here, filling up the *lacunæ*. To this were subjoined the letters, to and from Paulet and Drury, as “found amongst Sir Amias Poulet's writings.” But the apology and letters had been previously published by Dr. Mackenzie, in his “Lives of Scots writers, vol. iii. 1708,” under the article *Freebairn*, and without the *lacunæ* of the other MS. He printed the former, he says, from the original itself, “found amongst Sir Amias Paulet's papers; a copy of which, “transcribed from the *original*, was sent me by my worthy and “learned friend Mr. Hurry of Christ's Church Oxon” (p. 334). And the latter were found equally among the same papers, and transcribed equally from them, by Mr. Hurry. These two copies, therefore, are plainly transcripts of the same original; *that* having *lacunæ* in it, because the writer was not able to read the MS.; and *this* having none, as written by a more skilful reader. Yet the particulars of this apology are little known to the world at present. I met not with it, till I had published my Vindication, I knew of it in general, but I
could

“ maist noble person in preson, yis lang tyme past,
 “ for yair awin prehemenance and particularities,
 “ menufand and boistand from tyme to tyme to
 “ take her Magesteis life maist unjustlie from her,
 “ expres agains all lovable lawe of God and man;
 “ for ye quhilk his greit benefitt grantid to us her
 “ true subjects in her deliverance afoirsaid, we ren-
 “ der to him all thanks and hearty praise; and
 “ seing alsue that it is the bundin duetie of all true
 “ subgeicts with their bodies, lands, and guddis to
 “ serve and obey there native Sovereaigne, in the
 “ quhilk place * undoubtitly Almighty God has
 “ vevin † her Hienes abuse us to raigne, quhilk
 “ we maist earnestly prays his Godheid may lange
 “ continewe, to his glory, and alswo our vardlie ‡
 “ comforte: We therefore, and every one of us,
 “ promisis and oblise us in the name of the eternall
 “ God, faithfully and truly upon our sawtie § and
 “ honours in the world. That we fall serve and
 “ obey truely our said Sovereaigne Lady, our natu-
 “ rall princes, as her Hienes faifull || lieges and

could not tell where to find it. I often looked at the apology
 in Dr. Robertson, yet found not in it what I wanted and ex-
 pected. Nor had I such an idea of the present, as could in-
 duce me to be very solicitous in procuring it. But I was
 greatly struck, the moment I perused it. And I soon saw the
 expediency, of using it in the narrative part of my Work; and
 of republishing it with notes in my Appendix; for the fuller
 elucidation of the whole history.

* Keith, 475—477, from Crawford's copy in the advocate's
 library, reads *cais*.

† Keith, *gevin*.

‡ Keith,

wardlie.

§ Keith, *lawtie*. *Lawtie* also occurs here-

after, and shows that this should be the same.

|| Keith,

saythfull.

“ subjectis,

“ subjectis, agains all her enemyes and others her
 “ Gracs disobedient and unnaturall subjects, with
 “ our bodies, lands, and guds, frends, fervands,
 “ assistans, and partakers, to the setting forwart of
 “ her Hienes auctorite, honour, commonveill of
 “ our native realme and liegs thereof, to the utter-
 “ maist of our power unto our lieves end: And
 “ alswa because we se the great disobedience pre-
 “ sently pretended agains her Grace, and her trew
 “ and obedient subjects; we therefore in maner
 “ foresaid bynds and oblisis us and every one of
 “ us, truly and faithfully to take one trew and un-
 “ fould * plane parte with otharis, in defence of
 “ ourselfs, bodeis, guddes, lands, rowmes, posses-
 “ sions, men, tennentis, fervands, frends, and as-
 “ sistans, and in persute of them that beis funden
 “ disobedient to our said Sovereaigne Lady and hir
 “ auctorite: And to that effect, that na distance nor
 “ gruge fall remane nor vix † amangis us, our
 “ frends and fervands, for any action ne caus
 “ criminale or civile bypast; we also be thir pre-
 “ sentis referris all sic actionnis and caufs, yat pre-
 “ sently is or fall happon heerafter to be amangis
 “ us, to ye ordour, dres, and comandement of
 “ our said Sovereaigne Ladie, or the lordis of her
 “ Hienes counsell, or any thre or fowr of thaim,
 “ that her Hienes pleases comaund to accept the
 “ decisiothere of upon them; and however they

* Keith, *anefald*. † “Nor vix” omitted in Keith.
 They were not understood, I suppose. They mean to *live*, I
 apprehend, and came from the Latin *vixerint*.

“discerne yintill, we oblise us faithfully to stand
 “and abide thaireat, and fall on na ways pursewe
 “any actions agains otheris without her Hienes li-
 “cense, unto the tyme that her Majesty hold
 “parliament, and be fully establisht in her quene-
 “ly honour and obedience: Oblissant ilk ane of
 “us to otharis but fraude or guile, upon our
 “lawties, honours, and fidelities, and never to have
 “faith nor credit, but to be reputit and haldin as
 “opin and manifest traytors, gif we cum in con-
 “trare the tenour of the premisses in any sort. In
 “witnes of the quhilk, we and every one of us has
 “subscrivit thir presents with our hand at Hamyl-
 “ton, the viiith. day of May in the yerr of God
 “M D threscore and oucht yeeris &c. Sic sub-
 “scribitur *.

Archibald Earle of Argile †.

George Earle of Huntley.

Hew Earle of Eglington.

David Earle of Crawford.

Earle of Cassillis.

Earle of Rothons [Roths].

Earle of Mutoise [Montrose].

Earle of Sutherland.

Earle of Arroll Counstable.

Joⁿ Archb^p of St Andross.

Jo. Bp. of Dunkeld.

Jo. Bp. of Ross.

Alexander B. of Galloway.

Alex. Bp. of Aberdene.

Rob^t Bp. of Brechon.

John Bp. of the Isles.

James B. of Argile.

Jo. B. of Murray.

* The words “sic subscribitur” are omitted in Keith.

† “The Scots titles and names,” says Mr. Crawford,
 “being not known to Sir Robert Cotton’s transcriber, he has
 “certainly mistaken some of them: however, as near as possi-
 “ble, we have copied after him, altering only those which
 “fell within the compass of our own knowledge” (Keith, 477).
 Most of these supposed mistakes, are only the modes of writing
 names, then prevailing personally or generally. And I have
 published the names as they are.

Lordis.

Fleminge.
 Levingston.
 Seton.
 Robert Lord Boyd.
 Somerveillis.
 Hereis.
 Ross.
 Maxwell.
 Ogilby.
 Olafant.
 W^m Lord Bortheweik.
 Zancher.
 W^m Lord Hay of Yester.
 Drumond.
 Elphinstoun.
 Lord Glaw [Glawd] Hamyl-
 ton.
 Sinclair.
 Cairliewe [Cairliel].

Lannington.
 Cederwood.
 Cloisburne.
 Langton.
 Trequair.
 Keir.
 Gardey.
 Clackmanon.
 Sanchy †.
 Tulleallen.

Abbott St Colmes Insche.
 Abbot Lindoris.
 Glenluf [Glenlus].
 Haliwod.
 Abbot New Abbay.
 Dundraynen.
 Abbot Salside.
 Abbot Coufragell.
 Abbot Inschafray.
 Abbot Kelso *.
 Prior Pluskati.
 Prior Lahtenn.

Barronnis.

Lard Lochinwar.
 Bass.
 Wachton.
 Roslinge.
 Christorphin.
 Johneston.
 Weymes.
 Bulweguie †.
 Torry.
 Dalhouffy.
 Fairnhersty.
 St of Tewdail.
 James Stewart of Cardonald.
 Lard of Kneland.
 Lard of Camnethen.
 Lard of Lachop.
 Barthanothan.
 Gawstunn.
 Romanes.
 Craunstoun, K^c.
 Newton of the Ilk.
 Lard Bandeneth.

* Keith omits the repetition of "abbot."

† Keith,

Balwery. † Keith, Lamington, Calderwood, Lanton, Sanchy.

Fyndletar.
 Barnebowgall.
 Greinheid.
 Bawfe.
 Haddon.
 Lard of Rouallen.
 Drumalzer.
 Coilsburn.
 Q^tfurd of the Ilk.
 Robert Boyd of Baddeners *.
 Ieriswood.
 James Johneston of Torrey.
 Robert Johneston of Lochma-
 ben.
 John Creythun of Rihill.
 Seref of Ayr.
 Sir James Hadilton, K^t.
 Sref of Cliddefdaile.
 Rob^t Maister of Simple.
 Tho. M^r of Boyd.
 Lord Bombie †.
 Skirlinge, K^t.
 Lard Boyn.
 Lard of Boghall.
 Lard of Innervike.
 Lard of Stonhaus.
 Lard of Dunrod.
 Craigehall.
 Annesbun.
 Kilburny ‡.
 Lard Cokpule.
 Neil Mungumery, K^t.

Lard of Belstains.
 Quhitfurd §.
 Sir Andro Car, K^t.
 S^ref of Lithges.
 Gairtlie.
 Silverton, K^t.
 Haninge.
 Rikerton.
 Arkinles.
 Dalzell.
 Semenance.
 Lekpreuik.
 Corhoufs.
 Robert Lawson of Hunby.
 Efilmoat.
 Macum Tosche.
 Geicht.
 Creich, K^t.
 Abergeloy.
 Quhy^tlawe ||.

* Keith, Bamff, Haddo, Rowallan, Drumallier, Whitford of
 that ilk, Badennis. † Keith, Ierviswood, Creichton, Ha-
 milton, and Laird of Bombie. ‡ Keith, Skirlings, Laird

of Boyn, Boghall, Innerwick, Stenhouse, Dunrod, Annesburn.

§ Keith, Laird of Kneland, Cambuskenneth, Lauchop, Bar-
 clanochan, Romano, Bandenoth, Belstams. || Keith, i

Andrew Ker, K^t. Sheriff of Linlithgow, Haining, Ardkinlas,
 Humby, Macintosh, Abergeldy.

Patrick

Patrick Congilton of the Ilk.

Pook.

Ladieland.

Lard Smeton.

Preston, K^t.

Caldwell, K^t.

M^r of Kneland *.

A CONCLUDING LETTER OF MARY'S TO
ELIZABETH.

“ LA Royne,” says Blackwood concerning Mary, at the reported seizure of her son by Lord Gowry, “ ayant eu le vent de la captivité de
“ son fils, *tomba malade* de sorte, qu’elle en pensa
“ *mourir*, comme les medecins d’Angleterre rap-
“ porterent à leur maistresse; laquelle ne deman-
“ doit pas mieux, ayant desia le fils en sa puissance,
“ ou, quoy que soit, entre les mains de gens à sa
“ devotion: dont la pauvre mere ayant l’esprit
“ fort agité, *apres avoir adressé ses prieres à Dieu*,
“ meit la main à la plume; pensant obtenir grace
“ et fleschir le cœur de sa cousine, par des discours
“ que j’ay mis icy &c.”

† “ Madame,

“ Sur ce qui est venu à ma cognoissance, des der-
“ nieres conspirations executees en Escoffe contre

* Keith, *Laird of Cockpool, Pollock, Ladyland, Smeton.*

† Camden has given us this letter, as he says himself, “ ut
“ *ex ipso autographo in pauca contraham*,” Orig. i. 332.

“ mon pauvre enfant, ayant toute occasion d’en
“ craindre la consequence, à l’exemple de moy-
“ mesme ; il faut que j’employe si peu de vie et de
“ force qui me reste, pour, devant ma mort, vous
“ descharger plainement mon cœur de mes justes et
“ lamentables plaintes ; desquelles je desire, que
“ cette lettre vous serve, tant que vous vivrez
“ apres moy, d’un perpetuel tesmoignage et gra-
“ veure en vostre conscience ; tant à ma descharge
“ pour la posterité, qu’à la honte et confusion de
“ tous ceux, qui, sous vostre adveu, m’ont si
“ cruellement et indignement traictee jusques icy,
“ et menee à l’extremité où je suis *. Mais dau-
“ tant que leurs desseins, prattiques, actions, et pro-
“ cedures, pour detestables qu’elles puissent avoir
“ esté, ont tousiours prevalu en vostre endroit con-
“ tre mes tres-justes remonstrances et sinceres de-
“ portemens ; et que la force, que vous avez en
“ main, vous a tousiours donné la raison entre les
“ hommes ; j’auray recours à Dieu vivant, nostre
“ seul juge, qui nous a egalelement et immediate-
“ ment sous luy establies, au gouvernement de son
“ peuple.”

“ The Queen, having received intimation of
“ her son’s captivity, *fell so sick that she thought she*
“ *should die*, as the English physicians reported she
“ would to their mistrefs ; who wanted nothing
“ better, having already the son in her power, or,
“ which was the same, in the hands of people de-
“ voted to her : with which the poor mother being
“ greatly

“ greatly agitated in her mind, *after she had ad-*
 “ *dressed her prayers to God*, puts her hand to the
 “ pen; thinking to obtain favour from, and to
 “ soften the heart of, her cousin, by this address
 “ which I have subjoined here &c.

“ Madam,

“ Upon that which has come to my knowledge, of
 “ the last conspiracies executed in Scotland against
 “ my poor child, having reason to fear the conse-
 “ quence of it, from the example of myself; I
 “ must employ *the very small remainder of my life*
 “ *and strength, before my death*, to discharge my
 “ heart to you fully of my just and melancholy
 “ complaints; of which I desire that this letter
 “ may serve you, as long as you live after me, for
 “ a perpetual testimony and engraving upon your
 “ conscience; as much for my discharge to poste-
 “ rity, as to the shame and confusion of all those,
 “ who, under your approbation, have so cruelly
 “ and unworthily treated me to this time, and re-
 “ duced me to the extremity in which I am *.
 “ But as their designs, practices, actions, and pro-
 “ ceedings, though as detestable as they could
 “ have been, have always prevailed with you

* This strongly marks the propriety of *publishing* the present letter. It appears here to have been intended by Mary, for an appeal to the judgment of posterity, as well as to the conscience of Elizabeth. To *this* it called in vain. But with *that*, I doubt not, it has had and will have a very powerful influence. —Camden has the first clause thus, “ *cùm certò acceperim,*” and another thus, “ *easdem in tuâ (si fieri posset) conscientiâ insculpere;*” and omits all concerning her expected death.

“ against my very just remonstrances and sincere
 “ deportment; and as the power, which you have
 “ in your hands, has always been a reason for you
 “ among mankind; I will have recourse to the
 “ living God, our only judge, who has established
 “ us equally and immediately under him, for the
 “ government of his people.”

“ Je l'invoqueray à l'extrémité de ceste mienne
 “ tres-urgente affliction, pour retribuer à vous et
 “ à moy (comme il fera à son dernier jugement) la
 “ part de nos merites et demerites l'une envers
 “ l'autre. Et souvenez vous, Madame, q'à luy
 “ nous ne sçaurions rien desguiser par les fars et
 “ polices du monde; ores que mes ennemis, sous
 “ vous, puissent un temps couvrir aux hommes,
 “ paravanture à vous, leurs subtiles inventions.

“ En son nom, et comme devant luy seant entre
 “ vous et moy, je vous ramenteuray; que par les
 “ agents, espies, et messagers secrets, envoyez
 “ sous vostre nom en Escosse, durant que j'y
 “ estois, mes sujets ont esté corrompus, et sus-
 “ citez à se rebeller contre moy, à attenter contre
 “ ma personne, et, en un mot, à dire, faire, entre-
 “ prendre, et executer ce que, durant mes trou-
 “ bles, est advenu audit pays *. Dont je ne veux
 “ à present

* “ Elle entend Thomas Randol, ambassadeur ordinaire
 “ d'Elisabeth en Escosse, qui, sous ombre de son office, y a
 “ fait dix mille trahisons à la Royne d'Escosse, corrompant
 “ ses sujets par or et argent, pour les inciter à rebellion;
 “ comme il a esté verifié par le procez à luy fait.” The note
 of

“ à present specifier autre verification, que celle
 “ que j’en tiray par la confession d’un, qui depuis
 “ a esté des plus avancez de bon service, et des
 “ tefmoins à luy confrontez †. Auquel si j’eusse
 “ deslors faict justice, il n’eust depuis, par ses an-
 “ ciennes intelligences, renouvelé les mesmes pra-
 “ tiques contre mon fils ; et n’eust moyenné a tous
 “ mes traistres et rebelles subjets, refugiez vers
 “ vous, l’ayde et support qu’ils en ont eu, mesmes
 “ depuis ma detention par deça ; sans lequel sup-
 “ port, je pense que lesdits traistres n’eussent
 “ deslors prevalu, ne depuis si longuement subsisté,
 “ comme ils ont faict.

“ Durant ma prison de Lochlevin, feu Trog-
 “ marton me conseilla de vostre part, de signer
 “ ceste demission, qu’il m’advertissoit me devoir
 “ estre presentee ; m’assurant, qu’elle ne pouvoit
 “ estre valable. Et depuis il n’y a eu lieu en la
 “ Christienté, où elle ait esté tenuë pour telle, ne
 “ maintenüë, que pardeça ; jusques à avoir assisté
 “ par force ouverte les auteurs d’icelle. En vostre

of Blackwood, the publisher of the letter, and a cotemporary
 with Mary. “ She means Thomas Randol [Randolph], the
 “ ordinary embassadour of Elizabeth in Scotland, who, under
 “ shadow of his office, committed there ten thousand treasons
 “ against the Queen of Scotland, corrupting her subjects with
 “ gold and silver, to incite them into rebellion ; as was proved
 “ by the processe made against him.” — One clause in the
 text shows *Elizabeth*, to have been at the bottom of that
 horrid conspiracy, the murder of Rizzio and the seizure of the
 Queen. Randolph was *then* embassadour in Scotland, and left
 the country soon afterwards (Keith, 344). † Camden,
 “ *ex Mortonii ipsius ore.*”

“ conscience,

“ conscience, Madame, voudriez vous reconnois-
“ tre pareille liberté et pouvoir en vos sujets ?
“ Ce neantmoins, mon autorité a esté par les
“ miens transmise a mon fils, lors qu’il n’estoit
“ capable de l’exercer.”

“ I will invoke him to the end of this my very
“ pressing affliction, that he will return to you and
“ to me (as he will do in his last judgment)
“ the share of our merits and demerits one to-
“ wards the other. And remember, Madam, that
“ to him we shall not be able to disguise any thing,
“ by the paint and policy of the world ; though
“ mine enemies, under you, have been able, for a
“ time, to cover their subtle inventions to men,
“ perhaps to you.

“ In his name, and as before him sitting be-
“ tween you and me, I will remind you ; that by
“ the agents, spies, and secret messengers, sent in
“ your name into Scotland, while I was there,
“ my subjects were corrupted, and encouraged
“ to rebel against me, *to make attempts upon my*
“ *person*, and, in one word, to speak, do, enter-
“ prize, and execute that, which has come to the
“ said country during my troubles. Of which I
“ will not at present specify other proof, than that
“ which I have gained of it by the confession of
“ one, who was afterwards amongst those that were
“ most advanced for this good service, and of the
“ witnesses confronted with him. To whom if
“ I had since done justice, he had not afterwards,
“ *by his antient intelligences*, renewed the same
“ practices

“ practices against my son; and had not procured
“ for all my traitourous and rebellious subjects,
“ who took refuge with you, that aid and support
“ which they have had, even since my detention
“ *on this side*; without which support, I think, the
“ said traitours could not since have prevailed, nor
“ afterwards have stood out so long, as they have
“ done.

“ During my imprisonment at Lochlevin, the
“ late Trogmorton [Throgmorton] counselled
“ me on your behalf, to sign that demission which
“ he advertised me would be presented to me;
“ assuring me, that it could not be valid. And
“ there was not afterwards a place in Christendom,
“ where it was held for valid, or maintained, ex-
“ cept *on this side*; [where it was maintained]
“ even to having assisted with open force the au-
“ thors of it. In your conscience, Madam, would
“ you acknowledge an equal liberty and power in
“ your subjects? Notwithstanding this, my autho-
“ rity has been by my subjects transferred to my
“ son, when he was not capable of exercising it.”

“ Et depuis que je l'ay voulu legitiment assen-
“ rer en icelle, estant en aage de s'en aider pour
“ son bien propre, elle luy est soudainement ravie,
“ et attribuee à deux ou trois traistres; qui luy en
“ ayant desia osté l'effect, luy en osteront, comme
“ à moy, et le nom et le tiltre, s'il leur contredit
“ en façon que ce soit, et paravanture la vie, si
“ Dieu ne pourvoit à sa preservation.

“ Sortie

“ Sortie que je fus de Lochlevin, presse à don-
 “ ner bataille à mes rebelles ; je vous renvoiy
 “ par un gentil-homme expres une bague de
 “ diamant, qu'autrefois j'avois recuë de vous
 “ en token, et avec assurance d'estre par vous
 “ secouruë contre mes rebelles ; et mesme que me
 “ retirant vers vous, vous viendriez jusque sur la
 “ frontiere m'assister ; ce que par divers messagers
 “ m'avoit esté confirmé *.”

“ And since I was willing to assure it lawfully to
 “ him, he being of age to be assisted to his own
 “ advantage, it is suddenly ravished from him, and
 “ assigned over to two or three traitours ; who hav-
 “ ing taken from him the effectiveness of it, will
 “ take from him, as they have from me, both the
 “ name and the title of it, if he contradicts them
 “ in the manner he may, and perhaps his life, if
 “ God does not provide for his preservation.

“ When I was escaped from Lochlevin, ready
 “ to give battle to my rebels ; I remitted to you
 “ by a gentleman expres a diamond jewel, which
 “ I had formerly received as a token from you, and
 “ with assurance to be succoured by you against
 “ my rebels ; and even that, on my retiring to-
 “ wards you, you would come to the very frontiers
 “ in order to assist me ; which had been confirmed
 “ to me by divers messengers *.”

“ Ceste

* Elizabeth appears from this, to have *early* formed the de-
 sign of drawing Mary into England, under pretence of assisting
 her, and in order to seize, insult, and imprison her. This scheme
 she carried on, being all the while in league with Murray, and
 intending

“ Ceste promesse venant, et reiterée, de vostre
 “ bouche (ores que par vos ministres je me fusse
 “ trouee souvent abusée) me fit prendre telle
 “ fiance en l’effet icelle ; que, la route de mon
 “ camp survenuë, je vins droict pour me jetter
 “ entre vos bras, si j’en eusse peu approcher.
 “ Mais deliberant de vous aller trouver, me voila
 “ à my-chemin arrestee, environnee de gardes,
 “ renfermee dans des places fortes, et en fin re-
 “ duite, toute honte passée, en la captivité où je
 “ meurs aujourd’huy, apres mille morts que j’y ay
 “ j’a souffertes *.

“ Je scay, que vous m’alleguerez ce qui s’est
 “ passé entre le feu Duc Nortfolk et moy. Je
 “ maintiens, qu’il n’y avoit rien a vostre prejudice,
 “ ne contre le bien public de ce royaume ; et que le

intending to serve his and her purposes by it ; in a train of such hypocritical professions of friendship, as must shock even a profligate child of the world to think of. She sent Mary a diamond jewel, as a solemn token of her avowed friendship, and as an expers testimony of her promised assistance. She even assured Mary, that on hearing she was obliged to retire before her rebels towards England, she would come to the very frontiers of England, to meet and receive her. This she repeatedly confirmed afterwards, by messengers to her. And, after all, how did she behave ? This familiar toad at the ear of the innocent and unsuspecting Eve, injecting its poison into her brain, and tempting her to her ruin, then started up at once in its own natural shape, and appeared a very devil by her side.

* Camden : “ *Ad te tanquam ad anchoram sacram in adver-*
 “ *sis confugere statui, — si tam facilis aditus mihi patuisset,*
 “ *ac contra me rebellantibus semper patuit ;*” and “ *ipsâ morte*
 “ *graviora.*”

“ traité

“ traité fut approuvé par l’avis et signatures †
 “ des premiers qui estoient lors de vostre conseil,
 “ avec assurance de le vous faire trouver bon.”

“ This promise coming, and repeatedly, from
 “ your mouth (though I had found myself often
 “ abused by your ministers) made me place such
 “ affiance on the effectiveness of it; that, when my
 “ army was routed, I came directly to throw my-
 “ self into your arms, if I had been able to ap-
 “ proach them. But while I was planning to set
 “ out and find you, there was I arrested on my
 “ way, surrounded with guards, secured in strong
 “ places, and at last reduced, all shame set aside,
 “ to the captivity in which I remain to this day,
 “ *after a thousand deaths which I have already suf-*
 “ *fered from it.*

“ I know, that you will alledge to me what
 “ passed between the late Duke Nortfolk [of Nor-
 “ folk] and me. I maintain, that there was no-
 “ thing in this to your prejudice, or against the
 “ publick good of this realm; and that the treaty
 “ was sanctioned with the advice and signatures †
 “ of the first persons who were then of your coun-
 “ cil, under the assurance of making it appear
 “ good to you.”

“ Comment tels personnages eussent ils entrepris,
 “ de vous faire consentir à ce qu’on vous ostast la
 “ vie, l’honneur, et la couronne; comme vous

† Camden: “ subscriptionibus, quæ proferri possunt.”

“ vous en demonstrez persuadee, à tous ambassa-
“ deurs et autres qui vous parlent de moy ?

“ Cependant mes rebelles s'appercevant, que
“ leur course precipitee les emportoit plus outre
“ qu'ils n'avoient pourpensé, et la verité estant
“ apparue des impostures, qu'on feroit de moy
“ par la conference, à laquelle je me soubmis en
“ pleine assemblée de vos deputez et des miens,
“ avec les autres de party contraire en ce pays,
“ pour m'en esclaircir publiquement ; voila les
“ principaux, pour estre venus à resipiscence, par
“ vos forces assiegez au chasteau d'Edimbourg, et
“ un des premiers d'entr'eux empoisonné *, et
“ l'autre tres-cruellement pendu ; apres que par
“ deux fois je leur eus fait mettre les armes bas,
“ à vostre requeste, en esperance d'accord, où Dieu
“ sçait si mes ennemis tendoient.”

“ How could such personages have undertaken
“ the enterprize, of making you consent to a point,
“ which should deprive you of life, of honour,
“ and your crown ; as you have shown yourself
“ persuaded it would have done, to all the em-
“ bassadours and others who speak to you con-
“ cerning me ?

“ In the mean time my rebels perceiving, that
“ their headlong course was carrying them much
“ farther

* “ Ce fut le secretaire Lidinton, qui fut empoisonné de peur
“ qu'il decouvriest la mort du Roy, et toutes leurs trahisons : le
“ Baron Grange, et son frere, furent pendus.”

“ farther than they had thought before, and the
 “ truth being evidenced concerning the calumnies,
 “ that had been propagated of me at the con-
 “ ference, to which I submitted in full assembly of
 “ your deputies and mine, with others of the con-
 “ trary party in that country, in order to clear my-
 “ self publickly of them; there were the princi-
 “ pals, for having come to repentance, besieged
 “ by your forces in the castle of Edimbourg, and
 “ one of the first among them poisoned, and the
 “ other most cruelly hanged; after I had two
 “ times made them lay down their arms, at your
 “ request, in hopes of an agreement, which God
 “ knows whether my enemies aimed at.”

“ J’ay voulu par un long temps experimenter,
 “ si la patience pourroit amender la rigueur et
 “ mauvais traitement, qu’on commença speciale-
 “ ment depuis dix ans à me faire souffrir. Et
 “ m’accommodant exactement a l’ordre qui m’es-
 “ toit prescrit, pour ma captivité en ceste maison;
 “ tant pour le regard du nombre et qualité des
 “ serviteurs que je retins, licentiant les autres;
 “ que pour ma diette, et exercice ordinaire pour
 “ ma santé; j’ay vescu jusques à present aussi

“ This was the secretary Lethington, who was poisoned
 “ for fear he should discover the death of the King, and all
 “ their treasons: the Baron Grange, and his brother, were
 “ hanged.”

Camden: “*serâ pœnitentiâ*” and “*pleniûs perspicerent è*
 “*colloquio,*” &c.

“ quiettement

““ quiettement et paisiblement, qu’un beaucoup
““ moindre que moy, et plus obligé que pour tel
““ traictement je ne vous estois, eust peu faire;
““ jusqu’à me priver, pour vous oster tout ombre
““ de soupçon et deffiance, de requerir à avoir
““ aucune intelligence de mon fils et mon pays,
““ ce que par nul droit ne raison ne me pouvoit
““ estre denié, et principalement de mon enfant;
““ lequel, au lieu de ce, on travailloit par toute
““ voye de persuader contre moy, afin de nous
““ affoiblir par nostre division.””

““ I have been for a long time trying, whether
““ patience could soften the rigour and ill treat-
““ ment, which they have begun for these ten years
““ peculiarly to make me suffer. And accommo-
““ dating myself exactly to the order prescribed
““ me, for my captivity in this house; as well in
““ regard to the number and quality of the at-
““ tendants which I retain, dismissing the others;
““ as for my diet, and ordinary exercise for my
““ health; I am living even at present as quietly
““ and peaceably, as one much inferiour to myself,
““ and more obliged than with such treatment I was
““ to you, had been able to do; even to deprive
““ myself, in order to take away all shadow of sus-
““ picion and diffidence from you, of requiring to
““ have some intelligence with my son and my
““ country, which is what by no right or reason
““ could be denied me, and principally with my
““ child; whom, instead of this, they endeavoured by

“ every way to persuade against me, in order to
 “ weaken us by our division *.”

“ Il me fut permis, direz vous, il y a trois ans de
 “ l’envoyer visiter. Sa captivité lors à Sterlin sous
 “ la tyrannie de Morton, en fut cause ; comme sa
 “ liberté l’a depuis esté, d’un refus pour pareille
 “ visite. Toute ceste année passée, je suis par
 “ plusieurs fois entrée en diverse ouvertures, pour
 “ l’establissement d’une bonne amitié entre nous,
 “ et seure intelligence d’entre ces deux royaumes
 “ à l’advenir. A Chatisvorts il y a environ dix ans,
 “ que commissaires me furent envoyez à cet effect.
 “ Il en a esté traité avec vous mesme, par les
 “ ambassadeurs de France et les miens. Moy-
 “ mesme j’en fis, l’hyver dernier, toutes les ad-
 “ vantageuses ouvertures à Reale [Beale], qu’il
 “ estoit possible. Que m’en est-il revenu ? Ma
 “ bonne intention mesprisée, la sincerité de mes
 “ deportemens negligée et calomniée, l’estat de mes
 “ affaires traversé par delaiz, remises, et tels autres
 “ artifices. Et, pour conclusion, pire et plus in-
 “ digne traitement de jour à autre, quelque
 “ chose que je me fois efforcée de faire pour de-
 “ servir le contraire, ma troy longue, inutile, et

* How does this continue to lengthen out the dark and gloomy picture, of Elizabeth’s conduct to Mary !

Camden : “ animorum disjunctione, si fieri posset, divellere-
 “ tur.” His clause “ hœc anno jam vertente” is taken from
 the next paragraph.

“ dommageable

“dommageable patience, m’ayant amené a ce
“point ; que mes ennemis, par leur accoustu-
“mance de me mal-faire, pensent aujourd’huy avoir
“droict de prescription de me traiter, non comme
“prisonniere, telle que par raison je ne puis estre,
“mais comme quelque esclave, dont la vie et la
“mort dependent de leur seule tyrannie.”

“It was permitted me, you will say, to send
“one to visit him there about three years ago.
“His captivity then at Sterling under the tyranny
“of Morton, was the cause of it; as his liberty
“was afterwards, of a refusal to make the like
“visit. All this year past, I have several times
“entered into divers overtures, for the establish-
“ment of a good amity between us, and a sure
“understanding between these two realms in fu-
“ture. To Chatsworth, about ten years ago,
“commissioners were sent me for that purpose.
“A treaty has been held upon it with yourself,
“by my embassadours and those of France. I
“even myself made concerning it, the last winter,
“all the advantageous overtures to Beale, that it
“was possible to make. What return have I had
“thence? My good intention has been despised,
“the sincerity of my actions has been neglected
“and calumniated, the state of my affairs has been
“traversed by delays, postponings, and other such
“like artifices. And, in conclusion, a worse and
“more unworthy treatment from day to day, any
“thing which I am compelled to do in order
“to deserve the contrary, my very long, use-

“ less, and prejudicial patience, have reduced me
 “ so low ; that mine enemies, in their habits of
 “ using me ill, think this day they have the right
 “ of prescription for treating me, not as a pri-
 “ soner, which in reason I could not be, but as
 “ some slave, whose life and whose death depend
 “ only upon their tyranny *.”

“ Je ne le puis, Madame, plus longuement souf-
 “ frir ; et faut qu’en mourant je descouvre les au-
 “ theurs de ma mort, où que vivant j’essaye sous
 “ vostre protection à faire mourir les cruantez,
 “ calomnies, et traistres desseins de mesdits enne-
 “ mis, pour m’establir quelque peu plus de repos
 “ pour ce qui me reste à vivre. Pour vuider les
 “ occasions pretendues de tous differens entre
 “ nous, esclarcissez vous, s’il vous plaist, de tout
 “ ce qui vous a esté raporté de mes deportemens ;
 “ faites revoir les depositions des estrangers pris
 “ en Irlande ; que celle [celles] des jesuites der-
 “ nierement executez vous soient representees ;
 “ donnez libertez à ceux qui voudront entre-
 “ prendre de me charger publiquement, et me
 “ permettez d’entrer en ma defence : s’il s’y
 “ trouve du mal, que je le souffre, ce sera pa-
 “ tiemment quand j’en sçauray l’occasion : si du
 “ bien, ne souffrez que j’en sois plus mal traittee,
 “ avec vostre tres-grande charge devant Dieu et
 “ les hommes.”

“ I cannot, Madam, suffer it any longer ; and I

* What heart is there, but must feel very livelily here for the injured Queen ! Camden : “ *ante annos undecim.*”

“ must in dying discover the authors of my death,
 “ or living attempt under your protection to find
 “ an end to the cruelties, calumnies, and traitou-
 “ rous designs of my said enemies, in order to esta-
 “ blish me in some little more repose for the re-
 “ mainder of my life. To take away the occa-
 “ sions pretended for all differences between us,
 “ clear yourself, if you please, of all which has
 “ been reported to you concerning my actions;
 “ review the depositions of the strangers taken in
 “ Ireland; let those of the jesuits last executed be
 “ represented to you; give liberty to those who
 “ would undertake to charge me publickly, and
 “ permit me to enter upon my defence: if any
 “ evil be found in me, let me suffer it, it shall be
 “ patiently when I shall know the occasion of it:
 “ if any good, suffer me not to be worse treated
 “ for it, with your very great commission before
 “ God and man †.”

“ Les plus vils criminels, qui sont en vos pri-
 “ sons, naiz sous vostre obeissance, sont receuz à
 “ leurs justifications; et leur sont tousjours de-
 “ clarez leurs accusateurs et leurs accusations.
 “ Pourquoy doncques le mesme ordre n’aura il
 “ lieu, envers moy Royne Souveraine, vostre plus
 “ proche parente et legitime heritiere? Je pense,
 “ que ceste derniere qualité en a esté jusques icy

† With what a bold air, does innocence here invite and chal-
 lenge an inquiry into its own actions! Camden: “ proferan-
 “ tur *Hispanorum*, qui in Hiberniâ nuper capti, in me testi-
 “ monia.”

“ la principale cause, à l’endroit de mes ennemis ;
 “ et de toutes leurs calomnies, pour, en nous te-
 “ nant en division, faire glisser entre deux leurs
 “ injustes pretentions. Mais, hélas ! ils ont main-
 “ tenant peu de raison et moins de besoin, de me
 “ tourmenter davantage pour ce regard. Car je
 “ vous proteste sur mon honneur, que je n’attens
 “ aujourd’huy royaume, que celui de mon Dieu ;
 “ lequel je me voy préparer, pour la meilleure
 “ fin de toutes mes afflictions et adversitez pas-
 “ sées *.”

“ The vilest criminals, that are in your prisons,
 “ born under your obedience, are admitted to
 “ their justification ; and their accusers, and their
 “ accusations, are always declared to them. Why
 “ then shall not the same order have place, to-
 “ wards me a Sovereign Queen, your nearest re-
 “ lation and lawful heir ? I think, that this last
 “ circumstance has hitherto been, on the side of
 “ my enemies, the principal cause of it and of all
 “ their calumnies, to make their unjust preten-
 “ sions slide between the two, by keeping us in
 “ division. But, alas ! they have now little rea-
 “ son and less need, to torment me more upon
 “ this account. For I protest to you upon mine
 “ honour, that I look this day for no kingdom,
 “ but that of my God ; whom I see preparing me,
 “ for the better conclusion of all my afflictions and
 “ adversities past *.”

* Camden : “ *jam diu cogitasse.* ”

“ Ce fera à vous de descharger vostre conscience
“ envers mon enfant, pour ce qui luy appartiendra
“ apres ma mort en cet endroit ; et cependant de
“ ne laisser prevaloir à son prejudice, les continu-
“ elles praticques et menees secretes, que nos en-
“ nemis en ce royaume font journellement, pour
“ l'avancement de leurs dites pretentions ; travail-
“ lant d'autre costé avec nos traistres subjets en
“ Escoffe, par tous les moyens qu'ils peuvent,
“ pour haster sa ruine ; dont je ne demande autre
“ meilleure verification, que les charges donnees
“ à vos derniers deputez envoyez en Escoffe, et
“ ce que lesdits deputez y ont seditieusement pra-
“ tiqué, comme je croy, à vostre desceu, mais
“ avec bonne et suffisante sollicitation du Comte
“ mon bon voisin à York.”

“ This will be to you [a monition] to discharge
“ your conscience towards my child, as to what
“ belongs to him on this point after my death ;
“ and in the mean time not to let prevail to his
“ prejudice, the continual practices and secret con-
“ spiracies, which our enemies in this realm are
“ making daily for the advancement of their said
“ pretensions ; labouring on the other side with
“ our traitourous subjects in Scotland, by all the
“ means which they can, to hasten his ruin ; of
“ which I do not demand other better verification,
“ than the charges given to your last deputies sent
“ into Scotland, and what the said deputies have
“ seditiously practised there, as I believe, without
“ your knowledge, but with good and sufficient
“ sollicitation

“ solicitation of the Earl my good neighbour at
 “ York *.”

“ Et à ce propos, Madame, par quel droict se
 “ peut maintenir, que, mere de mon enfant, je sois
 “ totalement interdite, non seulement de le sub-
 “ venir en la neccessité si urgente où il est, mais
 “ aussi d’avoir aucune cognoissance de son estat ?
 “ Qui y peut apporter plus de soin, devoir, et sin-
 “ cerité, que moy ? A qui peut-il toucher davan-
 “ tage ? Pour le moins, si envoyant vers luy pour
 “ pourvoir à sa preservation, ainsi que le Comte
 “ de Cherusbery m’a fait dernièrement entendre
 “ de vostre part, il vous eust pleu recevoir en
 “ cela mon advis ; avec meilleure occasion, ce me
 “ semble, et plus d’obligation vers moy, vous y
 “ fussiez intervenuë. Mais considerez ce que vous
 “ avez laissé a penser, quand oubliant si soudaine-
 “ ment les offenses que vous pretendiez contre
 “ mon fils, lors que je vous requerois que nous
 “ envoyassions ensemble vers luy ; vous avez des-
 “ peché où il estoit prisonnier, non seulement sans
 “ m’en donner advis, mais me restrainant au
 “ mesme temps de toute liberté, afin que par voye
 “ quelconque je n’en eusse aucunes nouvelles.”

“ And on this point, Madam, by what right

* “ Elle entend le Comte de Houdinton [Hondinton].” “ She
 “ means the Earl of Hondinton [Huntingdon].” So, in an-
 other letter (Keralio, v. 375), she speaks of “ mon bon voisin
 “ le Comte de Hungtingdon.”

“ can it be maintained, that I, the mother of my
“ child, am totally prohibited, not only from as-
“ sisting him in the necessity so urgent in which
“ he is, but also from having any intelligence of
“ his state? Who can bring him more careful-
“ ness, duty, and sincerity, than I? To whom can
“ he be more near? At the least, if sending to
“ him to provide for his preservation, as the Earl
“ of Cherusbery [Shrewsbury] made me lately un-
“ derstand that you did, you had pleased to take
“ my advice in the matter; you would have in-
“ terposed with a better face, as I think, and with
“ more obligingness to me. But consider what
“ you leave me to think, when forgetting so sud-
“ denly the offences which you pretended to have
“ taken against my son, at the time I was request-
“ ing you that we should send together to him;
“ you have dispatched one to the place where he
“ was a prisoner, not only without giving me ad-
“ vice of it, but debarring me at the very time
“ from all liberty, that by no way whatever I
“ might have any news of him.”

“ Que si l'intention de ceux, qui ont moyenné
“ en vostre endroit ceste si prompte visite de mon
“ fils, a esté pour sa preservation et le repos du
“ pais; ils ne doivent estre si soigneux de le me
“ celer, comme chose en quoy je n'eusse voulu
“ concourir avec vous. Ils vous ont, par ce
“ moyen, fait perdre le gré, que je vous devois
“ avoir. Et, pour vous en parler plus plaine-
“ ment,

“ ment, je vous prie de n’y employer plus de tels
“ moyens, n’y de telles personnes. Car, encores
“ que je tiens le Sieur de Kerri trop se ressentant
“ du lieu dont il est sorti, pour engager son hon-
“ neur en aucun vilain acte ; il a eu un assistant,
“ partisan juré du Comte de Hondinton, par les
“ mauvais offices duquel une si mauvaise action
“ n’a peu reussir, qu’à pareil effect. Il me suffira
“ donc, seulement que vous ne permettiez, que
“ de ce pays mon fils reçoive aucun dommage
“ (qui est tout ce, que j’ay jamais requis de vous
“ cy devant, mesme lors qu’une armee fut envoyee
“ sur la frontiere, pour empescher que la justice
“ ne fust faite de ce detestable Morton) ; et que
“ nul des vostres directement ou indirectement ne
“ s’entremesse d’avantage des affaires d’Escoffe, si
“ ce n’est de mon sçeu,”

“ And if the intention of those, who have pro-
“ cured on your part this so prompt a visit of my
“ son, had been for his preservation, and the re-
“ pose of the country ; they needed not to have
“ been so careful in concealing it from me, as a
“ matter in which I should not have been willing
“ to concur with you. By this means they have
“ lost you the good-will, which I should have had
“ for you. And, to talk to you more plainly upon
“ the point, I pray you not to employ there any
“ more such means or such persons. For, al-
“ though I hold the Lord de Kerri [Cary Lord
“ Hunsdon] too sensible of the rank from which
“ he is sprung, to engage his honour in a vil-
“ lanous

“lanous act ; he has had for an assistant * a sworn
 “partisan of the Earl of Huntingdon’s, by whose
 “bad offices an action as bad has nearly suc-
 “ceeded to a similar effect. I shall be contented
 “then, only at your not permitting my son to re-
 “ceive any injury from this country † (which is
 “all, that I have ever required of you before,
 “even when an army was sent to the borders, to
 “prevent justice from being done to that detesta-
 “ble Morton); and that none of your subjects
 “directly or indirectly intermeddle any more in
 “the affairs of Scotland, unless it is with my
 “knowledge,”

“a qui toute cognoissance en appartient, ou avec
 “assistance de quelqu’un de la part du Roy Tres-
 “Chrestien, mon bon frere ; lequel, comme nostre
 “principal allié, je desire faire participant de tout
 “en ceste cause, pour peu de credit qu’il puisse
 “avoir avec les traistres, qui detiennent mon fils
 “à present.

“Cependant je vous declare tout ouvertement,
 “que je tiens ceste derniere conspiration et inno-
 “vation, pour une pure trahison contre la vie de
 “mon fils, le bien de ses affaires, et celuy du pays ;
 “et que tant qu’il fera en l’estat que j’entens qu’il
 “est, je n’estimera parole, escriture, ou autre acte,

* “Cestuy-cy est le fils aîné du Milord Holden, parent
 “d’Elizabeth.” “This is the eldest son of Lord Holden, a
 “relation of Elizabeth’s.”

† Camden : “*per necessitudinem igitur inter nos conjunctissi-*
 “*mam magnoperé rogo, uti filii salutis seriò prospicias.*”

“ qui

“ qui vienne de luy ou se passe sous son nom, pro-
“ cédé de sa franche et libre disposition, mais seule-
“ ment desdits conspirateurs, qui, au prix de sa vie,
“ se servent de luy pour masque.”

“ to whom all cognifance of these things belongs,
“ or with the assistance of some one on the part
“ of the Most Christian King, my good brother;
“ whom, as our principal ally, I desire to make
“ privy to the whole of this cause, because of the
“ little credit that he can have with the traitours,
“ who detain my son at present.

“ In the mean time I declare with all opennefs
“ to you, that I hold this last conspiracy and in-
“ novation, for pure treason against the life of my
“ son, the good of his affairs, and that of the
“ country; and that while he shall be in the state
“ in which I understand he is, I shall esteem no
“ word, writing, or other act, that comes from
“ him or is passed under his name, as proceeding
“ from his free and voluntary disposition, but only
“ from the said conspiratours, who, at the price of
“ his life, are making him to serve as a masque to
“ them.”

“ Or, Madame, avec toute ceste liberté de par-
“ ler, laquelle je prevoy vous pouvoir en quelque
“ chose desplaire, ores que ce soit la verité mesme;
“ vous trouverez, je m’asseure, d’avantage estrange,
“ que je vienne maintenant à vous importuner en-
“ core d’une requeste de beaucoup plus grande
“ importance, et neantmoins tres-aisée à vous de
“ me

“ me l’octroyer et effectuer. C’est que n’ayant
“ peu jusqu’icy, en m’accomodant patiemment si
“ long temps au rigoureux traitement de ceste
“ captivité, et me deportant sincerement en toutes
“ choses, voire jusques aux moindres qui vous
“ touchoient bien peu, m’acquérir quelque assu-
“ rance de vostre bonne grace, ne vous en donner
“ aucune de mon entiere affection vers vous; toute
“ esperance m’estant par là ostee, d’avoir mieux
“ en si peu de temps qui me reste à vivre: je
“ vous supplie en l’honneur de la douloureuse pas-
“ sion de nostre Sauveur et Redempteur Jesus
“ Christ, je vous supplie encore, un coup me per-
“ mettre de me retirer hors de ce royaume, en
“ quelque lieu de repos; pour chercher quelque
“ soulagement à mon pauvre corps, tant travaillé
“ de continuelles douleurs; et avec liberté de ma
“ conscience preparer mon ame a Dieu, qui l’ap-
“ pelle journellement.”

“ But, Madam, with all this freedom of speech,
“ which I can foresee will in some sort displease
“ you, though it be the truth itself; you will find
“ it more strange, I assure myself, that I come
“ now to importune you again with a request of
“ much greater importance, and yet very easy for
“ you to grant and realise to me. This is, that
“ having not been able hitherto, by accommodat-
“ ing myself patiently so long a time to the rigou-
“ rous treatment of this captivity, and carrying my-
“ self sincerely in all things, yea even to the least
“ that could concern you a very little, to gain
“ myself some assurance of your good grace, or to
“ give

“ give you by it some assurance of my entire af-
 “ fection towards you ; all my hope being taken
 “ away by it, of being better treated for the very
 “ short time which remains to me of life : I sup-
 “ plicate you by the honour of the sorrowful pas-
 “ sion of our Saviour and Redeemer Jesus Christ,
 “ again I supplicate you, at once to permit me to
 “ withdraw myself out of your realm, into some
 “ place of repose ; to search out some comfort for
 “ my poor body, so wearied as it is with con-
 “ tinual sorrows ; and with liberty of my conscience
 “ to prepare my soul for God, who is calling for
 “ it daily *.”

“ Croyez, Madame, et les medecins, que vous
 “ m’envoyastes cet esté dernier, le peuvent avoir
 “ assez jugé ; que je ne suis pour la faire longue,
 “ de sorte qu’il ne vous peut rester aucun fonde-
 “ ment de jalousie ou deffiance de ma part. Et,
 “ ce neantmoins, prenez de moy telles assurances
 “ et conditions justes et raisonnables, que vous les
 “ voudrez. La force plus grande reste tousiours
 “ de vostre coté, pour me faire garder ; ores que
 “ pour chose quelconque je ne les voulusse rom-
 “ pre. Vous avez assez eu d’experience de l’ob-
 “ servation de mes simples promesses, et quelque-
 “ fois à mon prejudice ; comme je vous remon-
 “ stray sur ce mesme sujet, il y a deux ans. Sou-
 “ venez vous, s’il vous plaist, de ce que je vous

* Camden : “ ut æquis legibus post tot annos libertati restituta,
 “ —post diuturnum carceris squalorem.”

“ escrivis

“““ escrivis lors ; et que vous ne sçauriez tant obli-
“““ ger mon cœur à vous, que par la douceur, ores
“““ que vous confiniez à perpétuité mon pauvre
“““ corps languissant entre quatre murailles ; ceux
“““ de mon rang et naturel n'estant pour se laisser
“““ gagner, ou forcer, par aucune rigueur.

“““ Vostre prison, sans aucun droit et juste fonde-
“““ ment, a desia destruit mon corps ; duquel vous
“““ aurez bientôt la fin, s'il y continue gueres d'a-
“““ vantage ; et n'auront mes ennemis beaucoup de
“““ temps pour assouvir leurs cruautéz sur moy ; il
“““ ne me reste que l'ame, laquelle toute vostre
“““ puissance ne peut captiver. Donnez luy donques
“““ lieu de respirer un peu plus librement son salut ;
“““ que seul elle cherche aujourd'huy, plus que
“““ nulle grandeur de ce monde. Il me semble,
“““ que ce ne vous sçauroit estre grande satisfaction,
“““ honneur, et avantage, que mes ennemis foulent
“““ ma vie aux pieds, jusques à m'avoir estouffé
“““ devant vous. Au lieu que, si en ceste ex-
“““ tremité, quoy que bien tard, vous me relevez
“““ d'entre leurs mains, vous m'obligerez grande-
“““ ment à vous, et tous ceux qui m'appartiennent,
“““ spécialement mon pauvre enfant ; duquel par
“““ là vous vous pourrez paraventure asseurer.””

“““ Believe, Madam, and the physicians, whom
“““ you sent me this last summer, are able suffi-
“““ ciently to judge the same ; that I am not for a
“““ long continuance, so as to give you any founda-
“““ tion of jealousy or distrust of me. And, not-
“““ withstanding this, take of me such assurances
“““ and conditions, just and reasonable, as you shall
“““ choose.””

“ choose. The greatest power rests always on
“ your side, to make me keep them; though for
“ nothing whatever would I wish to break them.
“ You have had sufficient experience, of my ob-
“ servance of my simple promises, and sometimes
“ to my prejudice; as I shewed you upon this
“ very point, about two years ago. Recollect,
“ if you please, what I then wrote you; and you
“ will not know how to bind my heart to you so
“ much, as by kindness, though you keep for ever
“ my poor body languishing between four walls;
“ those of my rank and nature not leaving them-
“ selves to be gained or forced, by any rigour.

“ Your prison, without any right and just foun-
“ dation, has already destroyed my body; of which
“ you will shortly have the end, if it continues
“ there a little longer; and my enemies will not
“ have much time, for glutting their cruelties on
“ me; nothing remains me but the soul, *which all*
“ *your power cannot make captive.* Give it then room
“ for aspiring a little more freely after its salva-
“ tion; which alone it seeks for at this day, more
“ than any grandeur of this world. It seems to
“ me, that it cannot be to you any great satisfac-
“ tion, honour, and advantage, for mine enemies to
“ trample my life under foot, till they have stifled
“ me in your presence. Whereas, if in this ex-
“ tremity, however late it be, you release me out
“ of their hands, you will bind me greatly to you,
“ and bind all those who belong to me, particu-
“ larly my poor child; whom you will perhaps
“ make sure to yourself by it.”

“ Je

“ Je ne cesseray de vous importuner de ceste
“ requeste, jusqu'à ce qu'elle me soit accordee. Et,
“ pour ce, je vous prie me faire entendre vostre
“ intention; ayant, pour vous complaire, attendu
“ jusqu'à present depuis deux ans, pour en renou-
“ veller l'instance; dont l'estat miserable de ma
“ santé me presse plus, que ne le pourriez penser.
“ Cependant pourvoyez, s'il vous plaist, à l'amen-
“ dement de mon traitement par deça, que je ne
“ puis souffrir plus longuement; et ne me remettez
“ à la discretion d'autre quelconque, que de vous-
“ mesme, de qui seule (comme je vous escrivois
“ dernièrement) je veux d'oresnavant tenir tout le
“ bien et le mal, que je recevray en vostre pays.
“ Faites moy ceste faveur, que j'aye vostre inten-
“ tion par escrit, ou l'ambassadeur de France pour
“ moy. Car de m'arrester à ce que le Comte de
“ Scherusbéry, ou autres, en diront ou escriront
“ de vostre part; j'ay trop d'experience, qu'il n'y
“ peut avoir assurance pour moy; le moindre
“ sujet, qu'ils se fantasiront *, estant suffisant pour
“ innover le tout du jour au lendemain.”

“ I will not cease to importune you with this
“ request, until it be granted me. And, on this
“ account, I pray you to let me understand your
“ intention; having, in order to comply with
“ you, waited even to the present day for two
“ years, to renew my urgency for it; for which the
“ miserable

* “ Elle use de ce mot, par ce que le Conte de Scherusbéry,
“ son gardien, est homme fort quinteux et fantasque.”

““ miserable state of my health presses me more,
 ““ than you can think. In the mean time provide,
 ““ if you please, for the bettering of my treatment
 ““ *on this side*, that I may not suffer any longer;
 ““ and remit me not to the discretion of any other
 ““ whatever, but your own self, from whom alone
 ““ (as I wrote to you lately) I wish for the future
 ““ to hold all the good and the evil, which I shall
 ““ receive in your country. Do me this favour,
 ““ to let me have your intention in writing, or the
 ““ embassadour of France for me. For to tie me
 ““ up to what the Earl of Scherusbury [Shrews-
 ““ bury], or others, shall speak or write about it
 ““ on your behalf; I have too much experience, to
 ““ be able to put any assurance in it; the least
 ““ point which they shall capriciously fancy, be-
 ““ ing sufficient to innovate the whole from one
 ““ day to another.””

““ Outre ce, dernièrement que j’escrivis à ceux de
 ““ vostre conseil, vous me feistes entendre, que je
 ““ ne me devois adresser à ceux, mais à vous
 ““ seule (et ainsi d’estendre seulement leur credit
 ““ et autorité, à me mal faire, il ne feroit raison-
 ““ nable; comme il est advenu en ceste derniere
 ““ restriction, où, contre vostre intention, j’ay
 ““ esté plus indignement traittee). Cela me donne

““ She uses this word, because the Earl of Shrewsbury, her
 ““ keeper, *is* a man very capricious and whimsical.”

The *present time* of the verb here, shows this note to have
 been written, when the Earl of Shrewsbury was yet the keeper
 of Mary.

“ tout occasion de doubter, qu’aucuns de mes en-
 “ nemis en vostre-dit conseil n’ayent expres pro-
 “ curé, que les autres dudit conseil ne feussent
 “ participans de mes justes complainctes ; ne voy-
 “ ans paravanture leurs compagnons adherer à
 “ leurs meschans attentats contre ma vie * ; ou que
 “ s’ils en avoient cognoissance, ils s’y opposeroient
 “ pour vostre honneur, et leur devoir envers
 “ vous.

“ Deux choses en fin ay-je principalement à
 “ requérir : l’une, que proche comme je suis de
 “ partir de ce monde, je puisse avoir pres de moy,
 “ pour ma consolation, quelque honorable homme
 “ d’Eglise ; afin de me ramentevoir journellement
 “ le chemin que j’ay à parachever, et m’instruire
 “ à le parfaire selon ma religion, où je suis ferme-
 “ ment resolute de vivre et mourir.”

“ Besides this, the last time that I wrote to
 “ those of your council, you made me understand,
 “ that I ought not to address myself to them, but
 “ to you alone (and so to extend their credit and
 “ authority only to do me hurt, could not be rea-
 “ sonable ; as has happened in this last limitation, in
 “ which, against your intention, I have been treat-
 “ ed with much indignity). This gives me every
 “ occasion for doubting, that some of my enemies
 “ in your said council may have procured it with

* This shows attempts to have been made already upon the
 life of Mary ; and (as she thought) by some of Elizabeth’s
 privy counsellors.

“ a design, of keeping others of the said council
“ from being made privy to my just complaints ;
“ lest the others should see perhaps *their compa-*
“ *nions*, adhere to their wicked *attempts upon my*
“ *life* ; of which if they should have any know-
“ ledge, they would oppose them for the sake of
“ your honour, and of their duty towards you.

“ Two things I have principally to require at
“ the close : the one, that, near as I am to going
“ out of this world, I may have with me, for my
“ consolation, some honourable churchman ; to re-
“ mind me daily of the course which I have to
“ finish, and teach me how to compleat it accord-
“ ing to my religion, in which I am firmly re-
“ solved to live and to die.”

“ C'est un dernier devoir, qu'au plus chetif et mi-
“ serable qui vive ne se pourroit denier. C'est
“ une liberté, que vous donnez à tous les ambaf-
“ sadeurs estrangers ; comme aussi tous autres
“ Roys Catholiques donnent aux vostres, exercice
“ de leur religion. Et moy-mesme je n'ay ja-
“ mais forcé mes propres sujets, à aucune chose
“ contraire à leur religion ; ores que j'eusse tout
“ pouvoir et autorité sur eux. Et que je feusse
“ en ceste extremité privee de telle licence, vous
“ ne le pouvez justement faire. Quel avantage
“ vous reviendra-il, quand vous me le denierez ?
“ J'espere que Dieu m'excusera, si, par vous de
“ ceste façon oppressee, je ne laisse de luy rendre
“ le devoir, qu'en mon cœur me sera permis.

“ Mais

“ Mais vous donnerez tres-mauvais exemple aux
 “ autres princes de la Chrestienté, d’user vers leurs
 “ subjets de la mesme rigueur que vous me tien-
 “ drez, Royne Souveraine et vostre plus proche
 “ parente ; comme je suis et seray tant que je vi-
 “ vray, en despit de mes ennemis *.”

“ This is a last duty, which cannot be denied to
 “ the most mean and miserable person that lives.
 “ It is a liberty, which you grant to all the foreign
 “ embassadours ; as also all other Catholick Kings
 “ give to your embassadours, the exercise of their
 “ religion. And even I myself have not hitherto
 “ forced my own subjects, to any thing contrary
 “ to their religion ; though I had all power and
 “ authority over them. And that I in this ex-
 “ tremity should be deprived of such freedom, you
 “ cannot with justice require. What advantage
 “ will redound to you, when you shall deny it to
 “ me ? I hope that God will excuse me, if, op-
 “ pressed by you in this manner, I do not render
 “ to him any duty, but what I shall be permitted
 “ to do in my heart. But you will set a very bad
 “ example to the other princes of Christendom,
 “ to act towards their subjects with the same ri-
 “ gour, that you shall show to me, a Sovereign
 “ Queen and your nearest relation ; which *I am*

* This is exactly in the same tone of magnanimity, in which she wrote to her commissioners at London, against resigning her crown (i. 3, 2, before). Camden : “ apud Deum me excusa-
 “ tam iri spero, et adversarios non impunè laturos timeo.”

“ and will be as long as I live, in despite of mine
 “ enemies.”

“ Je ne vous veux importuner maintenant, de
 “ l’augmentation de ma maison; dont, pour le
 “ temps que je voy me rester à vivre au monde,
 “ je n’auray pas tant de besoin. Je vous demande
 “ doncques seulement deux femmes de chambre,
 “ pour me subvenir durant ma maladie; vous at-
 “ testant devant Dieu, qu’elles me sont tres-ne-
 “ cessaires, quand je serois une pauvre creature
 “ d’entre le simple peuple †. Accordez les moy,
 “ en l’honneur de Dieu; et monstrez en cela, que
 “ mes ennemis n’ont tant de credit envers vous
 “ contre moy, que d’exercer leur vengeance et
 “ cruauté en chose de si peu de consequence, et
 “ dependant d’un simple office d’humanité ‡.

“ Je viendray maintenant à ce, dont le Comte de
 “ Scherufbery m’a chargée, si un tel que luy me
 “ peut charger; c’est a sçavoir: que contre ma
 “ promesse faite à Beale, et à vostre desceu, j’ay
 “ négocié avec mon fils, pour luy ceder mon tiltre
 “ de la couronne d’Escoffe; m’estant obligée de
 “ n’y proceder qu’avec vostre advis, par un de
 “ mes serviteurs, qui en leur commun voyage se-

† So Mary’s attendants are said by Paulet, to be “ silly and
 “ simple souls” (Robertson, ii. 474).

‡ How low must Mary have been reduced by the oppressive
 hand of Elizabeth, when she was forced to supplicate for such
 a petty favour as this, in so earnest a manner!

“ roit dirigé par l'un des vostres. Ces font, me
“ semble, les mesmes termes dudit Comte.”

“ I would not now importune you, concerning
“ the augmentation of my household ; of which for
“ the time that I see remaining me to live in this
“ world, I will not have so much care. I require
“ then from you, only two women of the chamber,
“ to assist me during my sickness ; attesting to you
“ before God, that they are very necessary to me,
“ now I shall be a poor creature among this sim-
“ ple people. Grant these to me, for the honour
“ of God ; and show in this instance, that mine
“ enemies have not so much credit with you
“ against me, as to exercise their vengeance and
“ cruelty in a point of so little consequence, and
“ depending upon a simple office of humanity.

“ I will come now to that, with which the Earl
“ of Scherusbury [Shrewsbury] has charged me,
“ if such a one as he can charge me ; which is
“ this : that contrary to my promise made to
“ Beale, and without your knowledge, I have
“ been negotiating with my son, to yield to him
“ my title to the crown of Scotland ; when I had
“ obliged myself not to proceed in it but with your
“ advice, by one of my servants, who should be
“ directed by one of yours in their common jour-
“ ney thither. These are, I think, the very words
“ of the said Count.”

“ Je vous diray la dessus, Madame, que Beale n'a
“ jamais eu aucune simple et absoluë promesse de

“ moy ; mais bien des ouvertures conditionnelles,
“ auxquelles je ne pouvois en façon que ce soit
“ rester liée, sans qu’au préalable les conditi-
“ ons, que j’y avois apposees, fussent executees ;
“ auxquelles tant s’en faut qu’il ait esté satisfait,
“ qu’au contraire je n’en ay jamais eu aucune res-
“ ponce, ny de sa part ouy faire mention depuis.
“ Et pour ce respect il me souvient tres-bien, que
“ le Comte de Scherusbery, vers Pasques der-
“ nieres, voulant tirer de moy nouvelle confirma-
“ tion de ce que j’avois dit audit Beale ; je luy re-
“ pliquay tout pleinement, que c’estoit seulement
“ au cas que lesdites conditions me fussent ac-
“ cordees, et consequemment effectuees. L’un
“ et l’autre sont encores vivants pour le vous tes-
“ moigner, s’ils en veulent dire la verité. Depuis
“ voyant que aucune responce ne m’estoit faite ;
“ mais, au contraire, que par delays et remises
“ mes ennemis continuoient plus licentieusement
“ que jamais leurs pratiques, basties dès le séjour
“ dudit Beale pres de moy, pour traverser mes
“ justes intentions en Escosse, ainsi que les effects
“ l’ont bien tesmoigné ; et que, par ce moyen, la
“ porte demeuroit ouverte à la ruine de mon fils
“ et la mienne ; je pris vostre silence pour refus,
“ et me deschargeay par lettres expressees, tant à
“ vous qu’à vostre conseil, de tout ce que j’avois
“ traité avec ledit Beale *.”

“ I will

* This serves to show, how treacherously Elizabeth acted with Mary, turning conditional agreements into positive for her

“ I will tell you upon this, Madam, that Beale
“ has not ever had a simple and absolute promise
“ of me; but indeed overtures conditional, to
“ which I cannot remain bound in the fashion in
“ which the business is, unless the conditions,
“ which I annexed to it, might be previously exe-
“ cuted; about which so far is he from being sa-
“ tisfied, that on the contrary I have never had
“ any answer from him, or heard mention of it
“ since on his side. And on this account I re-
“ member very well, that the Earl of Scherufbery
“ [Shrewsbury], about last Easter, wanting to draw
“ from me a new confirmation of what I had
“ spoken to the said Beale; I replied to him very
“ fully, That it was only in case the said condi-
“ tions might be granted, and consequently effec-
“ tuated, to me. The one and the other are yet
“ living to testify this to you, if they will tell the
“ truth about it. Then seeing that no answer was
“ made me; but, on the contrary, that by delays
“ and neglects mine enemies continued more li-
“ centiously than ever their practices, formed since
“ the residence of the said Beale with me, in order
“ to traverse my just intentions in Scotland, so as
“ the effects have been well witnessed there; and
“ that, by this means, the door remained open to
“ the ruin of my son and of myself; I took your
“ silence for a refusal, and discharged myself by
“ express letters, as well to you as to your council,
her own advantage; and how openly and honourably Mary
acted in return, revoking even conditional agreements by ex-
press letters.

“ from

“ from all that I had treated upon with the said
 “ Beale.”

“ Je vous feis bien participante de ce, quel le
 “ Roy Monsieur, et la Royne Madame, m’avoient
 “ escrit de leurs mains propres sur cet affaire ; et en
 “ requis vostre advis, qui est encores à venir, avec
 “ lequel mon intention à la verité estoit de proce-
 “ der, si vous me l’eussiez en temps departi, et vous
 “ m’eussiez permis d’envoyer vers mon fils ; m’as-
 “ sistant és ouvertures que je vous avois propo-
 “ sees, pour establir entre ces deux royaumes une
 “ bonne amitié et parfaite intelligence à l’advenir.
 “ Mais de m’obliger nuëment à suivre vostre advis,
 “ devant que sçavoir quel il pourroit estre, et de
 “ soumettre, pour le voyage de nos gens, le mien
 “ à la direction du vostre, mesmement en mon
 “ pais propre † ; je ne fus jamais si simple, que de
 “ le penser.

“ Maintenant je remets en vostre consideration,
 “ si vous avez sçeu le faulx jeu, que mes ennemis
 “ par deça m’ont joué en Escosse ‡, pour amener les
 “ choses au poinct qu’elles sont || ; lequel de nous

† What an un-reasonable tyrant does Elizabeth here appear ; a tyrant beyond all check and controul, of even common decency towards her sister Queen !

‡ Mary here and before appears, to have seen perfectly into Elizabeth’s concern, in the seizure of her son by the Ruthvens. For that concern, consult Camden, Trans. 275, Orig. i. 331, &c.

|| “ Elle entend l’emprisonnement du Roy son fils, fait à
 “ Reuen.”

“ She means the imprisonment of the King her son, done by
 “ Reuen,” Ruthven Lord Gowry.

“ y a

“ y a le plus sincerement procedé. Dieu soit juge
“ entre eux et moy, et destourne de ceste isle la
“ juste punition de leurs demerites.”

“ I made you fully privy to what Monsieur the
“ King, and Madame the Queen, had written to
“ me with their own hands upon this business;
“ and I asked your advice upon it, which is yet to
“ come, with which it was in truth my intention
“ to proceed, if you had given it me in time, and
“ you had permitted me to send to my son; assist-
“ ing me in the overtures which I had proposed to
“ you, in order to establish between the two realms
“ a good amity and perfect intelligence for the
“ future. But to bind myself nakedly to follow
“ your advice, before I knew what it would be,
“ and, for the journey of our servants, to put mine
“ under the direction of yours, even in my own
“ country; I was never yet so simple, as to think
“ of it.

“ Now I refer to your consideration, if you
“ knew of the false game, which mine enemies *on*
“ *this side* have played me in Scotland, to reduce
“ things to the point at which they stand; which
“ of us has proceeded with the greatest sincerity.
“ God judge between them and me, and avert
“ from this isle the just punishment of their deme-
“ rits.”

“ Renvoyez encor un coup les advertissemens,
“ que mes traistres subjects de l'Escoffe vous peu-
“ vent avoir donnez. Vous trouverez, et je le
“ maintiendray devant tous les princes Chrestiens,
“ qu'il

“ qu’il ne s’y est passé de ma part chose quelconque
 “ à vostre prejudice, ne contre le bien et repos de
 “ ce royaume; lequel je n’affecte moins que con-
 “ feiller ou subjet que vous ayez, y ayant plus
 “ d’interest qu’aucun d’eux.

“ Il se parloit, de gratifier mon fils du tiltre et
 “ nom de Roy; et d’asseurer, tant luy audit tiltre,
 “ que les rebelles de toute impunité de leurs of-
 “ fences du passé; et de remettre toutes choses en
 “ un repos et tranquillité pour l’advenir, sans
 “ aucune innovation de chose quelconque. Estoit-
 “ ce oster la couronne à mon fils? Mes ennemis,
 “ comme je croy, ne voudroient pas qu’elle luy
 “ fust assuree; et pour ce sont tres-contens,
 “ qu’il la detienne par l’illegitime violence d’au-
 “ cuns traistres, ennemis de toute ancienneté de
 “ toute nostre race *. Estoit-ce la chercher justice
 “ des offences passées desdits traistres, que ma
 “ clemence a tousiours surpassez ?”

“ Send back again at once the intelligence, which
 “ my traitourous subjects of Scotland can have
 “ given you. You will find, and I will maintain it
 “ before all the Christian princes, that no one thing
 “ whatever has there passed on my side, to your
 “ prejudice, or against the good and repose of this
 “ realm; which I affect not less than any coun-

* The Ruthvens &c. William Earl of Gowry, “ not to de-
 “ generate from his father, who bare a deadly hatred against
 “ the King’s mother,” seized the King (Camden, Transf. 274,
 Orig. i. 331). Camden renders “ il se parloit” by “ ex ani-
 “ mo percupii.”

“ fellow or subject that you have, having more in-
“ terest in it than any of them.

“ There was a negotiation, for gratifying my
“ son with the title and name of King; and for
“ making sure, as well the said title to him, as all
“ impunity to the rebels for their offences past;
“ and for re-placing every thing in repose and
“ tranquillity for the future, without any innova-
“ tion of any thing whatever. Was this to take
“ away the crown from my son? Mine enemies,
“ as I believe, wished not at all that the crown
“ should be made sure to him; and on that account
“ are very content, that he should keep it by the
“ unlawful violence of some traitours, enemies
“ from all antiquity to all our family. Was this
“ then to seek for justice upon the past offences of
“ the said traitours, which my clemency has al-
“ ways surpassed?”

“ Mais mauvaise conscience ne peut jamais s’af-
“ feurer, portant continuellement sa crainte en son
“ plus grand trouble avec elle-mesme. Estoit-ce
“ vouloir alterer le repos du pays; que de le pro-
“ curer par une douce abolition de toutes choses
“ passees, et generale reconciliation entre tous nos
“ sujets? C’est ce que nos ennemis par deça
“ craignent, autant qu’ils font demonstration de
“ la desirer. Quel prejudice en cela vous estoit-
“ il fait? Marquez doncques, et faites verifier,
“ s’il vous plaist, en quelle autre chose: j’en re-
“ spondray sur mon honneur.

“ He!

“ He ! voulez-vous, Madame, vous laisser tant
“ aveugler aux artifices de mes ennemis, que pour
“ establir apres vous, et paraventure contre vous
“ mesmes, leurs injustes pretentions à ceste cou-
“ ronne ; vous les souffriez, vous vivante, et les
“ voyez ruiner et faire si cruellement perir ceux,
“ qui vous touchent de si pres, et de cœur et de
“ sang ? Quel bien et honneur pouvez-vous es-
“ perer, de souffrir qu’ils nous tiennent, mon fils
“ et moy si longuement separez, et luy et moy
“ d’avec vous ?”

“ But an evil conscience cannot ever be assured,
“ carrying continually its fear in its very great
“ trouble within itself. Was it to wish a change
“ in the repose of the country ; to procure it by a
“ mild pardon of every thing past, and a general
“ reconciliation between all our subjects ? This
“ is the point which our enemies *on this side* fear,
“ as much show as they make of desiring it. What
“ prejudice would be done to you by this ? Mark
“ then, and verify, if you please, by what other
“ point : I will answer to it upon mine honour.

“ Ah ! Will you, Madam, let yourself be so
“ blind to the artifices of mine enemies, as to
“ establish after you, and perhaps against yourself,
“ their unjust pretensions to this crown ; will you
“ suffer them in your lifetime, and look at them,
“ while they are ruining and so cruelly destroying
“ those, who concern you so near both in heart and
“ in blood ? What advantage and honour can you
“ hope for, in suffering them to keep us, my son
“ and

“ and me so long separated, and him and me
“ from you.”

“ Reprenez les anciennes arrhes de vostre bon na-
“ turel; obligez les vostres à vous-mêmes; donnez
“ moy ce contentement avant que mourir, que
“ voyant toutes choses bien remises entre nous,
“ mon ame, delivree de ce corps, ne soit con-
“ trainte d'espandre ses gemissements devant Dieu,
“ pour le tort que vous aurez souffert nous estre
“ faict icy bas; mais plustost, qu'estant bien unie
“ avec vous, elle quitte ceste captivité, pour s'a-
“ cheminer vers luy, que je prie vous bien in-
“ spirer sur mes tres-justes et plusque raisonnables
“ plaintes et doleances.

“ A Sheffeld ce 28. Novembre mil cinq cens
“ octante deux.

“ Vostre tres desolee plus proche parente

“ et affectionnee cousine

“ M A R I E R.”

“ Resume the antient pledges of your good-
“ nature; bind your relations to yourself; give
“ me the satisfaction before I die, that seeing all
“ matters happily settled again between us, my
“ soul, when delivered from this body, may not
“ be constrained to display its lamentations before
“ God, for the wrong which you will have suffered
“ to be done me here below; but rather, that be-
“ ing happily united to you, it may quit this cap-
“ tivity, to set forward towards him, whom I pray
“ to inspire you happily upon my very just and
“ more

“ more than reasonable complaints and grie-
“ vances.

“ At Sheffield this 28. of November one thou-
“ sand five hundred eighty-two.

“ Your very disconsolate nearest relation

“ and affectionate cousin

“ M A R I E R. * ”

* Jebb, ii. 266—275. Camden: “ te” for *tuos* “ tibi ob-
“ liga; princepsque cum sis, animum ad deponendam omnem offen-
“ sionem erga me, principem conjunctissimam et tui amantissimam,
“ placabilitate emollias;” and “ assiduas preces;” and “ tandem
“ aliquando inveniant,” and “ die viii Novemb.,” and “ af-
“ fectionee seure.”

This forcible and pathetick letter is rendered obscure in places, by that which is incident to all letters, the quick-glancing of the mind to and from circumstances, familiar to the writer and the receiver, and therefore noticed in a cursory manner only. But it has been considered as so pathetick and so forcible, that Blackwood inserted it entire in his MS. history of Mary's sufferings, as appears from a note above, even while the Earl of Shrewsbury was yet the keeper of Mary, and before 1585; and actually published it in his history, so early as 1587. Camden also formed an abridgment of it, and placed it in his annals (Orig. i. 332—337, and Trans. 276—280). Dr. Stuart, too, has equally interrupted the course of his narrative with it; after he had spoken of it in these terms. “ When the intelli-
“ gence of the captivity of her son,” he says, “ and of the
“ bold proceedings of the conspirators, reached Mary; her
“ care, agitation, and anguish were driven to the most affect-
“ ing extremity. And, giving vent to her sensibility, she ad-
“ dressed a letter to Elizabeth, in which she maintains her
“ dignity, while she yields to her resentments; and in which she
“ has intermingled, in an admirable manner, the most fervent
“ protestations of innocence, and the boldest language of ex-
“ postulation and reproach. Its ability and vigour are uncom-
“ mon, and give it a title to survive in the history of the Scot-
“ tish

“tish nation” (ii. 164). And Mademoiselle De Keralio has published it a fourth time, in her Appendix, v. 349—356. But Camden’s abridgment, which I admired much before I discovered the original, has lost many of the beauties in the latter, and has ventured to make some additions of its own. These I have noticed above. Dr. Stuart also has formed his copy of the letter, by abridging the abridgment of Camden, by copying his additions as parts of the original, and by licentiously paraphrasing all. And Mademoiselle De Keralio, not attending to this conduct, and not knowing of the French original, has turned Dr. Stuart’s letter into French, and given it to her readers for the true original. In this manner is history unintentionally falsified; and thus has the French letter been translated back into French again! I therefore thought it requisite, to act in a very different manner. I have given the original itself. I have added to it a translation. I thus take leave of my reader, even in my Appendix, with a genuine letter of Mary’s; which recapitulates the conduct of Elizabeth to her, in all its principal outlines; which shows Elizabeth to us, as we have seen her before, but with an addition of evidence, mean, tyrannical, insidious, and savage; and also shows the soul of Mary to us, at the seeming approaches of death, recollected in its sentiments, earnest in its feelings, maintaining her innocence with awful solemnity, and appealing to that God, before whom she thought she was going to appear, for the vindication of her honour and the avenging of her wrongs. From the interesting nature of distress, the elevating force of innocence, and the ennobling dignity of religion; the sick and dying Mary here appears with a majesty, before which the low-souled Elizabeth shrinks abashed and confounded. Every honest and generous feeling of our hearts, comes forward to the aid of the oppressed Queen. And we think of her oppressor, with disgust, with disdain, and with detestation!

E R R A T A.

- P. 25, l. 6, for "all in" read "in all"
 28, 14, for "attend and" r. "attend; and"
 39, 11, for "Drumfay" r. "Drumfoy"
 73, l. last but one for "Ladé Cecil," r. "Ladé, my Ladé
 "Cicil"
 82, 7, for "linguente" r. "linquente."
 95, note, l. 23 and 24, for "Wanghton" r. "Waughton"
 173, 21, for "fave" r. "faye"
 233, 15, for "two" r. "too"
 235, note last, for " * Lenox's" r. " § Lenox's"
 296, 7, note, for "quhilk-is" r. "quhilk is"
 311, last line but three, for "about seven and twenty years
 ago" r. "in 1758"
 359, 2, for "judicus" r. "judices"
 362, 18, for "she" r. "the"
 363, 17, for "this" r. "the"
 384, 9—10, thus—draw it up for herself.

But the signing peers, it seems, were not content with this. They must have an additional authority from the Queen, for the bold act of recommending a husband to her. So fearful were these turbulent barons become all at once, of entrenching upon their allegiance to the crown! They had already obtained a sanction, for what they meant to do. They must now have a sanction for what they had done. "There was also" with the licence, say the English commissioners here, "in the copie of "the bond" recommending a husband to Mary, "a copie of a "warrant *followinge*, much to that effect" with the licence; "sayinge that the one did licence to doe, and *the other seemed to* "discharge and pardone that was done; which bears date the 14th of Maye." So strongly guarded do the peers of Scotland here appear, with the fence of a royal commission before, and with the barrier of a royal pardon behind! Accordingly that copy of the bond which was presented at Westminster *without* subscriptions, not that which was presented at York *with* them; and which still remains among the papers of Cecil; still exhibits a copy of this additional warrant, *annexed to it*. Between the warrant and the bond are these words interposed: "to this" bond "the Queene *gave her consent* the night befoir the mariage, "quhilk was the 14 day of May, the zeir of God forsaide, in this "forme." And then follows the pardon. "The Queene's "Majestie," it says, "haveing sene and considderit the band "above writtine, promittis in the word of a Princeesse, That she, "nor her successoris, *fall nevir impute as cryme or offence to onie of the* "personis subscriyveris thairof, thaire consent and subscription to "the matter above writtin, *thairin contenit*; nor that thai, nor "thair heires, fall nevir be callit nor accusit thairfoir; nor zit "fall the said consent or subscriyving be onie derogatioun or spott
 "to

E R R A T A.

“ to thair honor, or thair esteemit undewtifull subjectis for doing
 “ thair of, notwithstanding quhatsumevir thing can tend or be
 “ alleget in the contrare. In witnes quhair of her Majestie hes
 “ subscryveit the samyne with her awin hand.” * So provi-
 dently cased in armour on both sides, as these rebel peers pecu-
 liarly are, that come forward with such peculiar zeal to shew
 all their securities; who can now hurt them? Covered with a
 panoply, as immortal as its makers, and *forged* by Vulcanian
 art in the caverns of darkness; they fancy themselves safe from
 every wound. But they are not. Indeed

Their armour helps their harm, crush’d in and bruis’d
 Into their substance pent.

The second warrant appears to be genuine, from an allusion to
 it in the true contract †. But the solicitation of a second proves
 the first to be a falsity. When they had already been *licensed* to
 do what they did, what possible need, or what possible use,
 could there be of more? How could even the scepter of royalty
 extend its creative touch, to any thing farther for them? If
 the licence was not of sufficient validity in itself, why did they
 send to obtain it? If it was, why should they solicit for the war-
 rant afterwards? The warrant forsooth was to forgive, what
 the licence had sanctioned. The sign manual of the Queen was
 to remit the offence, which this very sign manual had autho-
 rized. *That* was even to *pardon*, what *this* had *compelled*; as
 they actually produced *that*, to *show* they were *compelled* to sign,
 “ in *proufe* they did it *not willingly*.” The Queen thus promises,
 “ on the word of a Princesse,” not to punish as a crime against
 her, what she had even lent a written authority for doing; and
 not to consider as “ onie derogatioun or spott—to their honour,”
 what they had been actually *compelled* by her *under a royal war-
 rant to do*. And she now “ *gave her consent*,” as the rebels
 themselves say, to what she had *licensed*, to what she had *com-
 pelled*, before.

But “ two hundred harkebusiers,” it seems, &c.

• P. 516, l. 2, for “ 372—380” r. “ 372—378.”

P. 521, 16, for “ and yet the” r. “ and the”

558, l. 3, from the bottom, thus:—Orig. i. 413, Transf.
 346. But let me subjoin one extraordinary evidence more con-
 cerning him. “ Time and emulation,” says Sir Robert Naun-
 ton, “ had resolved on his period; and, to cover him at the set-
 “ ting in a cloud at Cornbury, not by so violent a death, and by
 “ the fatal sentence of judicature, as that of his father’s and
 “ grandfather’s was; but, as is suggested, by that *poison* which
 “ *he had prepared for others*; wherein they report him a *rare*
 “ *artist*” (Phenix, i. 193). Such an infernal, &c.

P. 562, note, l. 15, for “intermediately” r. “immediately”

* Anderson, i. 111.

† P. 172. before.

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